



**OFFICIAL PROCEEDINGS OF
THE CITY COUNCIL
CITY OF LANSING
PROCEEDINGS OF JANUARY 4, 2007**

City Council Chambers
Lansing, Michigan

The City Council of the City of Lansing met in regular session and was called to order at 3:30 P.M. by City Clerk Swope.

PRESENT: Councilmembers Allen, Dunbar, Jeffries, Kaltenbach, Leeman, Williams, Wood

ABSENT: None

Meditation and Pledge of Allegiance led by City Clerk Swope

**ELECTION OF CITY COUNCIL PRESIDENT AND VICE
PRESIDENT FOR THE YEAR 2007**

RESOLUTION #001

BY THE COMMITTEE OF THE WHOLE
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, pursuant to the Charter, Lansing City Council each January at its first regularly scheduled meeting shall elect its officers; and

WHEREAS, The Committee of the Whole met on January 4, 2007 prior to the first Council meeting and deliberated on the appointments of President and Vice President;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, elects Councilmember Harold Leeman as its President until the Council's first meeting in 2008.

By Councilmember Allen

Motion Carried

RESOLUTION #002

BY THE COMMITTEE OF THE WHOLE
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, pursuant to the Charter, Lansing City Council each January at its first regularly scheduled meeting shall elect its officers; and

WHEREAS, The Committee of the Whole met on January 4, 2007 prior to the first Council meeting and deliberated on the appointments of President and Vice President;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, elects Councilmember Brian Jeffries as its Vice President until the Council's first meeting in 2008.

By Councilmember Allen

Motion Carried

APPROVAL OF MINUTES

By Councilmember Williams

To approve the printed Council Proceedings of December 11, and 18, 2006

Motion carried

CONSIDERATION OF LATE ITEMS

By Vice President Jeffries

To suspend City Council Rule #11 to allow for consideration of Late Items

Motion carried

The following items were added to the agenda:

1. From Councilmember Allen; a letter from Josh Meersma regarding traffic issues along Alpha and Devonshire

TABLED ITEMS

SPECIAL CEREMONIES

Special Ceremonies

There were no Scheduled Special Ceremonies

**COUNCILMEMBERS' COMMENTS
AND CITY CLERK'S ANNOUNCEMENTS:**

City Clerk Swope said his office is now accepting applications to fill the vacant City Council seat. Persons interested in applying can get an application from the Clerk's web site or in person at the Clerk's office. The deadline to apply is Wednesday, January 17 at 4:00 p.m.

Councilmember Williams asked City Clerk Swope to go over the requirements, so people will know if they qualify.

City Clerk Swope said that the applicant must be a registered voter in the City and must have lived in the City for 1 year prior to the appointment. He said the applicant must not be in default to the City and must not have been convicted of a felony, a violation of election laws, or a violation of the public trust in the last 20 years. To be appointed, the person needs the votes of four Councilmembers.

SPEAKER REGISTRATION FOR PUBLIC COMMENT (Clerk Swope announced that the public comment registration form(s) for those intending to address Council on legislative or City government matters will be collected and that only those persons who have fully completed the form(s) will be permitted to speak.)

MAYORS COMMENTS

Mayor Bernero wished a Happy New Year to everyone. He said that 2006 was a very productive year. He spoke about the economic development in 2006. He said that 2007 promises to be an even better year. He spoke about possible good things that will come from General Motors. He read a letter of appreciation from the CEO of Niowave, who has relocated to Lansing.

Councilmember Kaltenbach said that he hopes that a Costco store could be brought to Lansing and that the Mayor should try to attract them to come here.

Councilmember Allen said that she hopes that when the Mayor looks into bringing new businesses to Lansing that he remembers the old Farmer Jack's building on S. Cedar St. as a place to use.

Mayor Bernero said he is willing to work with Councilmember Kaltenbach and this company on coming to Lansing. He said that he would keep the building on S. Cedar St. in mind for any possible new businesses. He said that he would like to send his condolences out to the family of Charles Thornhill for their loss.

SHOW CAUSE HEARINGS

* Comment on Scheduled Show Cause Hearings:

There were no Scheduled Show Cause Hearings

PUBLIC COMMENT ON LEGISLATIVE MATTERS

* Public Comment on Legislative Matters:

Legislative Matters included the following public hearings:

There were no Scheduled Public Hearings

Stan Shuck of 818 Cooper spoke about positive support by the Union while attending a Council Committee meeting.

John Pollard of 1718 Blair spoke about concerns that he has with the process for Council President.

Darnell E. Oldham Sr of 3815 Berwick spoke about concerns that he has with the length of time it took to elect a Council President.

Willy Williams of P O Box 11042 spoke in support of Councilmember Leeman being Council President.

Charlene Decker of 2711 Pleasant Grove spoke about concerns that she has with the process for electing the President of the Council.

PUBLIC COMMENT ON CITY GOVERNMENT RELATED MATTERS:

Stan Shuck of 818 Cooper spoke about the total number of lives lost in Michigan from the War in Iraq. He said that one of the recent soldiers that was killed was the son of two City of Lansing employees.

John Pollard of 1718 Blair spoke about the process used for electing the Council President and Vice President. He also spoke about an alleged Charter violation.

Darnell E. Oldham Sr of 3815 Berwick spoke about how a point of order should be handled by Council and City Attorney. He also spoke about Veterans being honored.

Lawrence Green congratulated both Council President and Vice President on their offices. He spoke about his New Year Resolutions for 2007.

Willy Williams of P O Box 11042 spoke about a judge's ruling on a lawsuit that was filed against the City.

LEGISLATIVE MATTERS

REFERRAL OF PUBLIC HEARINGS

RESOLUTIONS

RESOLUTION #003

BY THE COMMITTEE OF THE WHOLE
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Councilmember Joan Bauer tendered her resignation as Councilmember At Large effective 12:01 a.m. on January 1, 2007;

NOW, THEREFORE, BE IT REVOLVED that the Lansing City Council, hereby, accepts the resignation of Councilmember Joan Bauer effective 12:01 a.m. on January 1, 2007.

By Councilmember Jeffries

Motion Carried

REPORTS FROM COUNCIL COMMITTEES

ORDINANCES FOR INTRODUCTION

ORDINANCES FOR PASSAGE

CITY OFFICERS, BOARDS AND COMMISSIONS, COMMUNICATIONS AND PETITIONS, AND OTHER CITY RELATED MATTERS

By Councilmember Jeffries that all items be considered as being read in full and that President Leeman make the appropriate referrals

Motion Carried

* Reports from City Officers, Board and Commissions:

a. Letter from Joan Bauer submitting her resignation as Councilmember At Large

RECEIVED AND PLACED ON FILE

b. Letter from the City Clerk submitting minutes of Boards and Authorities placed on file in the City Clerk's Office

RECEIVED AND PLACED ON FILE

c. Letters from the Mayor:

i. Sole Source Purchase; Fire Department request for North Grand River Co-op as the vendor for the purchase of EMS Laundry Provider and Decontamination

REFERRED TO WAYS & MEANS AND INTERNAL AUDIT

ii. Sole Source Purchase; Public Service Department-Wastewater Treatment Plant request for Siemens Water Technologies as the vendor for the purchase of replacement parts to rebuild 2 primary settling tanks

REFERRED TO WAYS & MEANS AND INTERNAL AUDIT

iii. Sole Source Purchase; Public Service Department request for Camtek Construction Projects as the vendor for the purchase of Manhole Inserts

REFERRED TO WAYS & MEANS AND INTERNAL AUDIT

iv. Public Improvement I; Phase IV Segment 4, CSO 013 North West, Construction of Storm Drainage Facilities in an area bounded by Sheridan Road and Turner Street and Howe Street and Jones Lake

REFERRED TO THE COMMITTEE ON PUBLIC SERVICE

v. Grant Application; U.S. Department of Commerce Economic Development Administration for building infrastructure in the Lansing Regional SmartZone

RECEIVED AND PLACED ON FILE

Communications and Petitions, and Other City Related Matters:

a. Letter from the Ingham Intermediate School District providing notice of Intent to collect one hundred percent (100%) of 2007 Summer Taxes

REFERRED TO CITY TREASURER AND RECEIVED AND PLACED ON FILE

b. Notice from Comcast Cable providing notice of Billing System Conversion

REFERRED TO CABLE & TELECOMMUNICATIONS ADVISORY BOARD

c. Letter from the State of Michigan Department of Labor & Economic Growth Liquor Control Commission providing a 15 Day Notice of an application filed by A 1 Party Store, Inc., requesting a new SDM licensed business located at 3530 S. Waverly Road

REFERRED TO GENERAL SERVICES

d. Letter from the Michigan Department of Environmental Quality providing notice of the issuance of Permit No. 06-33-0051-P to Gail Rollins of 1130 Parkdale Ave., to allow construction of a 6 ft. 8 in. by 10 ft. cover front porch within the 100-year floodplain of Red Cedar River

REFERRED TO PLANNING & NEIGHBOR DEVELOPMENT

e. Notice from Michigan Department of Environmental Quality extending the expiration date for Permit No. 04-33-0009-P to December 31, 2007

REFERRED TO PLANNING & NEIGHBOR DEVELOPMENT AND

REFERRED TO CITY ATTORNEY

f. Letters from Chuck Theroux, Commodore of the Lansing Boat Club, inviting a City Councilmember and a Parks Board Member to be Ex-officio Members of the Boat Club

REFERRED TO COMMITTEE OF THE WHOLE

g. Letter from Chuck Theroux, Commodore of the Lansing Boat Club, requesting a representative from Lansing Police Department to attend their meetings

REFERRED TO LANSING POLICE DEPARTMENT AND REFERRED TO THE MAYOR

h. Letter from Chuck Theroux, Commodore of the Lansing Boat Club to Murdock Jemerson, Director of the Parks and Recreation Department in appreciation for a meeting with Mayor Bernero and clarifying the club's position on issues

REFERRED TO PARKS DEPARTMENT AND REFERRED TO THE MAYOR

i. Letter from Josh Meersma regarding traffic issues along Alpha and Devonshire

REFERRED TO THE COMMITTEE ON PUBLIC SERVICE

MOTION OF EXCUSED ABSENCE

REMARKS BY COUNCILMEMBERS

Councilmember Williams said that he wanted to address some of the speakers today who talked about lack of honor and keeping your word by this Council. He said that he wanted to let everyone know that with what went on during the Committee of the Whole meeting he did keep his word and he is happy about it.

**REMARKS BY THE MAYOR
OR EXECUTIVE ASSISTANT**

There were no comments by the Mayor or the Executive Assistant

**ADJOURNED TIME 4:28 P.M.
CHRIS SWOPE, CITY CLERK**

**OFFICIAL PROCEEDINGS OF
THE CITY COUNCIL
CITY OF LANSING
PROCEEDINGS OF JANUARY 8, 2007**

City Council Chambers
Lansing, Michigan

The City Council of the City of Lansing met in regular session and was called to order at 7:00 P.M. by President Leeman.

PRESENT: Councilmembers Allen, Dunbar, Jeffries, Kaltenbach, Leeman, Williams, Wood

ABSENT: Councilmember Williams (arrived at 7:30 P.M.)

Meditation and Pledge of Allegiance led by President Leeman

APPROVAL OF MINUTES

By Vice President Jeffries

To approve the printed Council Proceedings of January 4, 2007

Motion carried

CONSIDERATION OF LATE ITEMS

By Vice President Jeffries

To suspend City Council Rule #11 to allow for consideration of Late Items

Motion carried

The following items were added to the agenda:

1. From Councilmember Jeffries; Resolution setting City Council Meeting venue for the State of the City Address January 29, 2007
2. From Councilmember Jeffries; Rescheduling the Public Hearing for Brownfield #30 the former Dard Building Property located at 1213 Center St. filed by Brownfield Development Specialist LLC to FEBRUARY 5, 2007
3. From Councilmember Jeffries; Rescheduling the Public Hearing for Z-16-2006; 200 Block of E. Grand River Ave., Petition for rezoning from "F-1" Commercial to "G-1" Business District filed by Richard Karp for the purpose of constructing a new building containing a mix of commercial and residential uses to FEBRUARY 5, 2007
4. From Councilmember Wood; Grant Application; Hunter Park
5. From Councilmember Allen; Letter from Ron Rieves, Chairman of the East Battenfield Neighborhood Association and Watch regarding the purchase of the Lansing Gardens property

TABLED ITEMS

SPECIAL CEREMONIES

• Special Ceremonies

1. Tribute; Greater Lansing Area Martin Luther King Jr., Holiday Commission on the 22nd Annual Martin Luther King Jr. Luncheon

President Leeman asked City Clerk Swope to read the following tribute:

RESOLUTION #004

BY THE COMMITTEE OF THE WHOLE
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the City of Lansing will conduct its twenty-sixth annual observance of the birthday of Dr. Martin Luther King, Jr., on Friday, January 12, 2007, from 12 noon to 1:00 p.m. in the Lansing City Council Chambers; and

WHEREAS, the theme of this year's observance will be "Embrace! Celebrate! Act! A Day On....Not a Day Off"; and

WHEREAS, the keynote speaker will be Olivia Letts and music will be provided by the St. Vincent Catholic Charities Children's choir, Lansing School District-Pleasant View Magnet School for Visual and Performing Arts, and Michael Madigan of Haslett High School.

WHEREAS, the Youth Citizenship Awards will be presented by Lee Richardson III, President of the Kappa Delta Lambda Chapter; and

WHEREAS, each year the Human Relations and Community Services Department sponsors a spirit lifting program in cooperation with the Mayor, City Council, Alpha Phi Alpha Fraternity, Inc, Kappa Delta Lambda Chapter, and the Martin Luther King, Jr. Center for Nonviolent Social Change, Inc.;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, encourages the residents of Lansing to attend the City's 26th observance of Dr. Martin Luther King, Jr.'s birthday in the Capitol City; and

BE IT FURTHER RESOLVED that the City Council urges all residents of Lansing to share Dr. King's dream and fill your heart with GRACE, a soul generated by LOVE, and be a *SERVANT* and work toward Justice, Good Will, and Brotherhood for all people.

By Councilmember Leeman

Motion Carried

Mayor Bernero introduced the Greater Lansing Martin Luther King Jr. Holiday Commission and Willie Paulson as the Chair of this Committee. He said that he appreciates all the hard work that the Commission has done. He said that Monday, January 15th is the City of Lansing will celebrate the legacy of Dr. Martin Luther King Jr. at the Lansing Center. He said that it is important that we help get out Dr. King's word and what he stood for. He said we here at the City of Lansing remain committed to diversity. He thanked everyone on the committee for all their hard work.

Willie Paulson said that everyone is welcome to attend the celebration on Monday at the Lansing Center. She said that it begins at 11:00 a.m. She said that she promises to have everyone out by 1:00 p.m. She said the keynote speaker will be Brother William Lucy. She said tickets are \$25.00 each and you can call the Commission at 483-7637 to purchase them. She thanked the Mayor and City Council, but most importantly the citizens of Lansing for all the support throughout the years.

**COUNCILMEMBERS' COMMENTS
AND CITY CLERK'S ANNOUNCEMENTS:**

Councilmember Wood announced that the Fire Department will be holding a CERT training. This is a Citizens Emergency Response

JANUARY 8, 2007

COUNCIL PROCEEDINGS

Training program. She said that it is open to anyone who is interested and you can call 256-3152 for more information. On Saturday, January 13th the Impression 5 Science Museum is having a science theater fair from 10:00 a.m. to 5:00 p.m.

City Clerk Swope said that the Clerk's Office is now accepting applications for the City Council At-Large vacancy. He said the deadline to apply is Wednesday, January 17th at 4:00 p.m. He said that applications are also available online at the Clerk's web site.

President Leeman said that there will be a public hearing tomorrow night with the Planning Board at 7:00 p.m. held in the Council Chambers.

SPEAKER REGISTRATION FOR PUBLIC COMMENT

(Clerk Swope announced that the public comment registration form(s) for those intending to address Council on legislative or City government matters will be collected and that only those persons who have fully completed the form(s) will be permitted to speak.)

MAYORS COMMENTS

Mayor Bernero spoke about the ribbon cutting ceremony at the new Daily Bagel on Washington Square. He congratulated the new owners for their faith in the downtown. He spoke about the positive growth for Neogen and how they will be moving their Florida office to Lansing. He spoke about the inauguration of Governor Granholm. He thanked all the City employees who helped make it happen. He spoke about the meeting of the Mayors that will take place in Detroit on Wednesday. He spoke about the North American International Auto Show that is being held at Cobo Hall in Detroit. He said that the auto show is where Lansing will shine. He spoke about the Martin Luther King Jr. celebration that will begin at 12:00 p.m. on Friday at City Hall in Council Chambers. He spoke about the recent concerns that have come up about the future of the North Network Center. He said that he would like to ask Dr. Joan Jackson Johnson, Director of the Human Relations and Community Services Department to give additional information on this issue.

Councilmember Williams arrived at 7:30 P.M.

Human Relations & Community Services Director Joan Jackson Johnson spoke in detail about the future of the North Network Center. She said that in no way are they trying to cut services to the Center. She said they are looking for a new location for the center because the City just can not afford to continue paying the rent on the facility where they are currently located at. She said that there is a building right across the street from the current location that is available and it would save the City a lot of money.

SHOW CAUSE HEARINGS

- Comment on Scheduled Show Cause Hearings:

There were no Show Cause Hearings

**PUBLIC COMMENT
ON LEGISLATIVE MATTERS**

- Public Comment on Legislative Matters:

Legislative Matters included the following public hearings:
There were no Scheduled Public Hearings

John Pollard of 1718 Blair spoke about concerns that he has with the SmartZone.

Darnell E. Oldham Sr of 3815 Berwick Dr. spoke about issues that he has with the SmartZone.

PUBLIC COMMENT

ON CITY GOVERNMENT RELATED MATTERS:

Stan Shuck of 818 Cooper spoke about concerns that he has with the County taking over the Zoo. He said that he fears that the Zoo will be shut down.

John Boise of 4921 Tenny spoke about the cost involved in keeping the prisoners in the prisons.

Rebecca Walter of 1414 Roosevelt spoke in support of allowing the North Network Center to stay at its current location.

Evelyn Trotter of 1914 Thompson spoke in support of keeping the Network Center where it is.

Brenda Pecina of 1232 N. Washington spoke about concerns that she has with moving the North Network Center.

Sharon Dodge of 1229 N. Capital spoke in support of the North Network Center staying at its current location.

Walter Brown of 1310 Knollwood spoke in support of the North Network Center staying where it is.

Robert Bennett of 907 Chicago Ave spoke in support of the North Network Center.

Frank S. Curtis X of 1137 West Allegan spoke about the passing of some really great people in the United States and in Lansing. He also spoke about a History book that he brought with him.

John Pollard of 1718 Blair spoke about the delayed start time of City Council meetings each week. He also spoke about the passing of Proposal 2 and how the City should just follow the law.

Darnell E. Oldham Sr of 3815 Berwick Dr. spoke about a person's word and what it is worth these days. He also spoke about a protection order that was filed against him for his conduct during Council meetings.

Lawrence Green of 1825 Sunset spoke about the upcoming events to celebrate Martin Luther King Jr's Birthday. He also spoke about the lack of resources for the citizens of Lansing.

Charlene Decker of 2711 Pleasant Grove thanked Councilmember Williams for his words at last weeks Council meeting while she was trying to speak. She also spoke in support of the North Network Center.

LEGISLATIVE MATTERS

REFERRAL OF PUBLIC HEARINGS

There were no Public Hearings

RESOLUTIONS

RESOLUTION #005

BY THE COMMITTEE OF THE WHOLE
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING
WHEREAS, the City of Lansing will conduct its twenty-sixth annual observance of the birthday of Dr. Martin Luther King, Jr., on Friday, January 12, 2007, from 12 noon to 1:00 p.m. in the Lansing City Council Chambers; and

WHEREAS, the theme of this year's observance will be "Embrace! Celebrate! Act! A Day On....Not a Day Off"; and

WHEREAS, the keynote speaker will be Olivia Letts and music will be provided by the St. Vincent Catholic Charities Children's choir, Lansing School District-Pleasant View Magnet School for Visual and Performing Arts, and Michael Madigan of Haslett High School.

WHEREAS, the Youth Citizenship Awards will be presented by Lee Richardson III, President of the Kappa Delta Lambda Chapter; and

WHEREAS, each year the Human Relations and Community Services Department sponsors a spirit lifting program in cooperation with the Mayor, City Council, Alpha Phi Alpha Fraternity, Inc, Kappa Delta Lambda Chapter, and the Martin Luther King, Jr. Center for Nonviolent Social Change, Inc.;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, encourages the residents of Lansing to attend the City's 26th observance of Dr. Martin Luther King, Jr.'s birthday in the Capitol City; and

BE IT FURTHER RESOLVED that the City Council urges all residents of Lansing to share Dr. King's dream and fill your heart with GRACE, a soul generated by LOVE, and be a SERVANT and work toward Justice, Good Will, and Brotherhood for all people

By Councilmember Jeffries

Motion Carried

RESOLUTION #006

BY THE COMMITTEE OF THE WHOLE
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

Economic Development Administration Grant Application Resolution

WHEREAS, the City of Lansing's Economic Development Corporation (LEDC) has been engaged in discussions for a number of months with the MSU Foundation and EDA, designing a plan and pre-application to pay for \$2 million worth of public infrastructure improvements to Lansing's portion of the Lansing Regional SmartZone, and

WHEREAS, the MSU Foundation has agreed to be a joint applicant and provide a 50%, \$2 million match for the EDA grant, and

WHEREAS, the EDA is requiring that the City of Lansing accept the fiduciary responsibility for maintenance of the public infrastructure placed in the Lansing portion of the Lansing Regional SmartZone Park, and

WHEREAS, The LEDC will be the administrator of this grant, and

WHEREAS, beyond the \$2 million match provided by the MSU Foundation, there is no further local match requirement, and

WHEREAS, the EPA has invited the city to submit a final application for the amount of \$1,994,000 in EDA funds for extension of municipal road and utility infrastructure to support the development of the Lansing Regional SmartZone Park.

NOW, THEREFORE, BE IT RESOLVED that the City of Lansing has the legal authority to apply for the grant, and the financial, technical, and managerial capacity to ensure proper construction, operation, and maintenance of the project for its design life. BE IT FURTHER RESOLVED that the City of Lansing may submit an application to the EDA for the above referenced project for \$1,994,102 and that the City of Lansing certifies that it will comply with all applicable law and regulations as stated in all contract agreements described in the Compliance listing of the grant application.

BE IT FURTHER RESOLVED, that the Mayor is, hereby, authorized to execute the application as necessary to submit the application on behalf of the City of Lansing.

BE IT FINALLY RESOLVED that Virg Bernero, Mayor of the City of Lansing, is authorized to file such an application for \$1,994,102 for the above outlined scope of services and that upon approval of the final application by the United States Department of Commerce, Economic Development Administration shall obtain Council approval prior to accepting any grant offer resulting from the above authorized application.

By Councilmember Jeffries

Motion Carried

RESOLUTION #007

BY THE COMMITTEE OF THE WHOLE
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Michigan Head Start Association has requested to be recognized as a Local Civic Nonprofit Organization operating in the City of Lansing; and

WHEREAS, the City Attorney has reported that based on a review of the documentation submitted, the applicant qualifies as a Local Civic Nonprofit Organization;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council, hereby, recognizes Michigan Head Start Association as a Local Civic Nonprofit Organization operating in the City of Lansing;

BE IT FURTHER RESOLVED the City Clerk is requested to provide a copy of this resolution to Jennifer Nottingham, Communications & Meeting Coordinator, 101 E. Willow, Lansing, Michigan 48906-4814.

By Councilmember Jeffries

Motion Carried

RESOLUTION #008

BY COMMITTEE OF THE WHOLE
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING
BROWNFIELD PLAN #30 - Former Dard Building Brownfield Plan

WHEREAS, the Lansing Brownfield Redevelopment Authority has prepared and forwarded an approved Brownfield Plan pursuant to and in accordance with the provisions of the Brownfield Redevelopment Financing Act, Public Act 381 of 1996, as amended, for property commonly referred to as 1213 Center St., located in the City of Lansing; and

WHEREAS, prior to Council's action on this request, it is necessary to hold a public hearing on the Plan, to allow for any resident, taxpayer or ad valorem taxing unit the right to appear and be heard;

WHEREAS, this resolution is rescheduling the public hearing previously scheduled for January 15, 2007 on this matter to the later date of February 5, 2007;

NOW, THEREFORE, BE IT RESOLVED that a public hearing be held in the City Council Chambers of the City of Lansing, 10th Floor, Lansing City Hall, Lansing, Michigan, on February 5th, 2007 at 7:00 p.m. on Brownfield Plan #30 - Former Dard Building Brownfield Plan under the Brownfield Redevelopment Financing Act, for property located within the boundary more particularly described as:

LOT 2 EXC N 99 FT & EXC W 85 FT OF S 5.2
FT OF N 104.2 FT, ALSO LOTS 3 & 4
ASSESSORS PLAT NO 31 OF BLOCK 6
ORIG PLAT

And that the City Clerk cause notice of such hearing to be published twice in a publication of general circulation, no less than

JANUARY 8, 2007

COUNCIL PROCEEDINGS

20 days or more than 40 days prior to the date of the public hearing, and that the City Clerk also cause the legislative body of each taxing unit levying ad valorem taxes on this property, to be notified of Brownfield Plan #30 and the scheduled public hearing.

This is a rescheduled public hearing date.

By Councilmember Jeffries

Motion Carried

RESOLUTION #009

BY COMMITTEE OF THE WHOLE

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

Resolved by the City Council of the City of Lansing that a public hearing be rescheduled for Monday, February 5, 2007, at 7 p.m. in City Council Chambers, Tenth Floor, Lansing City Hall, 124 West Michigan Avenue, Lansing, Michigan, for the purpose of approving and/or opposing the Ordinance for rezoning:

Z-16-2006, 200 Block, E. Grand River Avenue, from F-1 Commercial District to G-1 Business District

This resolution is rescheduling the public hearing previously scheduled for January 15, 2007 on this matter to the later date of February 5, 2007.

By Councilmember Jeffries

Motion Carried

RESOLUTION #010

BY THE COMMITTEE OF THE WHOLE

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Mayor presents the State of the City Address annually as part of a City Council meeting; and

WHEREAS, the Mayor has requested to hold the State of the City Address on January 29, 2007 as part of the Council meeting at 7:00 p.m. at the ACD.net's Metro Internet Exchange facility located at 1800 N. Grand River Avenue; and

WHEREAS, the Committee of the Whole has reviewed the request with an affirmative recommendation to hold the State of the City Address on January 29, 2007 ACD.net's Metro Internet Exchange facility located at 1800 N. Grand River Avenue at 7:00 p.m.

NOW, THEREFORE, BE IT RESOLVED, that the Lansing City Council will commence on January 29, 2007 at 5:00 p.m. in the Council Chambers then recess and reconvene at the call of the President in the ACD.net's Metro Internet Exchange facility located at 1800 N. Grand River Avenue.

By Councilmember Jeffries

Motion Carried

REPORTS FROM COUNCIL COMMITTEES

There were no Committee Reports

ORDINANCES FOR INTRODUCTION

There were no Ordinances for Introduction

ORDINANCES FOR PASSAGE

There were no Ordinances for Passage

**CITY OFFICERS, BOARDS
AND COMMISSIONS,**

**COMMUNICATIONS AND PETITIONS,
AND OTHER CITY RELATED MATTERS**

By Councilmember Jeffries that all items be considered as being read in full and that President Leeman make the appropriate referrals

Motion Carried

• Reports from City Officers, Board and Commissions:

a. Letter from the Mayor:

i. The 2007 State of the City Address venue location

ii. From Councilmember Wood; Grant Application; Hunter Park

SUSPENSION ITEM-REFERRED TO THE COMMITTEE ON
WAYS AND MEANS AND THE INTERNAL AUDITOR
RECEIVED AND PLACED ON FILE

• Communications and Petitions, and Other City Related Matters:

a. Affidavit of Disclosure filed by Arnold Yerxa, Interim Internal Auditor for the City of Lansing

REFERRED TO THE ETHICS BOARD

b. Letter from John Pollard, 1718 Blair St., of the Fair Share Coalition of Lansing, regarding an annual report of real property owned by the City.

REFERRED TO THE CITY ATTORNEY AND REFERRED TO
THE MAYOR

c. From Councilmember Allen; Letter from Ron Rieves, Chairman of the East Battenfield Neighborhood Association and Watch regarding the purchase of the Lansing Gardens property

SUSPENSION ITEM-REFERRED TO THE DEVELOPMENT AND
PLANNING COMMITTEE AND REFERRED TO THE
DEPARTMENT ON PLANNING AND NEIGHBORHOOD
DEVELOPMENT

REMARKS BY COUNCILMEMBERS

Councilmember Wood said that the Lansing Pastors United is holding their Annual Martin Luther King Jr. celebration at New Mt Calvary Baptist Church on Miller Road on Monday at 7:00 p.m. and everyone is invited to attend.

City Clerk Swope said that there will not be a City Council meeting next Monday. He said the next regular meeting will be held on Thursday, January 18 at 1:30 p.m.

**REMARKS BY THE MAYOR
OR EXECUTIVE ASSISTANT**

Mayor Bernero said with regard to the North Network Center, change is never easy for anyone. He said we are aware of the need for this center in the community. Dr. Johnson is aware of the need and the quality of this center. He said we are not looking to close it down we just need to move it to a new location for financial reasons only. He said we just can't afford to keep paying for the space. He said we can pay a lot less for the same space at a new location.

Councilmember Kaltenbach asked the Mayor if he could be included in any meetings that may take place with regards to the North Network Center. He asked if we could try to work something out with the Housing Commission to allow them to stay

until May.

President Leeman read into the record the following Council Committee and Board Assignments for 2007:

**Lansing City Council
Committee Assignments for 2007**

Committee on Ways and Means

Carol Wood, Chair
Tim Kaltenbach, Vice Chair
Harold Leeman, Member

Committee on Intergovernmental Relations

Randy Williams, Chair
Harold Leeman, Vice Chair
**Newly Appointed Member*

Committee on General Services

Tim Kaltenbach, Chair

Carol Wood, Vice Chair
Harold Leeman, Member

Committee on Development & Planning

Brian Jeffries, Chair
Sandy Allen, Vice Chair
Kathie Dunbar, Member

Committee on Public Services

Kathie Dunbar, Chair

Harold Leeman, Vice Chair

**Newly Appointed Member,
Member*

Committee on Public Safety

Sandy Allen, Chair

Tim Kaltenbach, Vice Chair
Randy Williams, Member

Committee of the Whole

Harold Leeman, President
Brian Jeffries, Vice President

Committee on Personnel

Brian Jeffries, Chair
Harold Leeman, Vice Chair
Sandy Allen, Member
Kathie Dunbar, Member

Other Boards and Commissions

Employee/Police and Fire Retirement Boards: *Carol Wood*

EDC/Brownfield Re-development/Tax Increment Financing Authority/

Economic Development Corporation Board of Directors: *Brian Jeffries*

Greater Lansing Convention & Visitors Bureau: *Carol Wood*

Planning Board: *Brian Jeffries, Sandy Allen, Kathie Dunbar*

Tri-County Michigan Works: *Harold Leeman, Sandy Allen, Randy Williams*

TriCounty Commission on Aging: *Harold Leeman, Sandy Allen*

TriCounty Regional Planning Commission: *Harold Leeman, Carol Wood, *Newly Appointed Member*

Capital Region Airport Authority: *Kathie Dunbar*

Downtown Blue Ribbon: *Tim Kaltenbach*

Downtown Lansing, Inc: *Tim Kaltenbach*

Lansing Entertainment & Public Facilities Authority: *Harold Leeman, Tim Kaltenbach*

Principal Shopping District: *Tim Kaltenbach*

Community Corrections Advisory Board: *Harold Leeman*

Micro Enterprise: *Carol Wood*

**Newly Appointed Member to be announced on January 29, 2007*

**ADJOURNED TIME 8:46 P.M.
CHRIS SWOPE, CITY CLERK**



**OFFICIAL PROCEEDINGS OF
THE CITY COUNCIL
CITY OF LANSING
PROCEEDINGS OF JANUARY 18, 2007**

City Council Chambers
Lansing, Michigan

The City Council of the City of Lansing met in regular session and was called to order at 1:30 P.M. by President Leeman.

PRESENT: Councilmembers Allen, Jeffries, Kaltenbach, Leeman, Williams, Wood

ABSENT: Councilmember Dunbar (arrived 1:57 p.m.)

Meditation and Pledge of Allegiance led by President Leeman

APPROVAL OF MINUTES

By Councilmember Wood

To approve the printed corrected Council Proceedings of October 9, 2006

Motion carried

CONSIDERATION OF LATE ITEMS

TABLED ITEMS

SPECIAL CEREMONIES

There were no Special Ceremonies

**COUNCILMEMBERS' COMMENTS
AND CITY CLERK'S ANNOUNCEMENTS:**

Councilmember Allen spoke about the passing of Michael John Simon a regular attendee of City Council Meetings. She said that Michael was always upbeat and happy and he will be greatly missed.

Councilmember Wood announced that the Lewton/Rich Neighborhood Association will be meeting this evening at 7:00 p.m. at Dwight Rich Middle School in the Social Room. On Friday the Edmore Neighborhood Association will be meeting at the Sir Pizza in Old Town at 6:00 p.m. and the meeting will begin at 6:30 p.m.

Councilmember Williams wished his mother a Happy Birthday.

City Clerk Swope said that the deadline to apply for the vacant City Council seat was Wednesday at 4:00 p.m. He stated that sixteen people had applied for the seat and he read the names of the candidates who submitted their names and the times of their interviews to be conducted on Tuesday, January 23 beginning at 6:00 p.m. He said after the interviews the Council will narrow the field down to three candidates for the next portion of interviews which will be on Thursday, January 25.. He wished the best of luck to all the candidates.

SPEAKER REGISTRATION FOR PUBLIC COMMENT

(Clerk Swope announced that the public comment registration form(s) for those intending to address Council on legislative or City government matters will be collected and that only those persons who have fully completed the form(s) will be permitted to speak.)

MAYORS COMMENTS

Mayor Bernero said that on Monday he attended the annual Martin Luther King Jr. Luncheon and that he was glad to see so many people there to celebrate the legacy of Dr. King. He said Brother William Lucy, who was the keynote speaker, was such a wonderful speaker. He thanked everyone who helped put this event together and congratulated them on a wonderful job. He spoke about the process of trying to delay the start of Proposal 2 to help the City get prepared for it. He spoke about a meeting that he attended regarding regional economic development for the State of Michigan. He spoke about the Detroit Tigers being at the Breslin Center. He spoke about the State of the City Address that will take place on January 29 at the ACD.net facility.

SHOW CAUSE HEARINGS

- Comment on Scheduled Show Cause Hearings:

**PUBLIC COMMENT
ON LEGISLATIVE MATTERS**

- Public Comment on Legislative Matters:

Legislative Matters included the following public hearings:

There were no scheduled public hearings and no legislative matters

**PUBLIC COMMENT
ON CITY GOVERNMENT RELATED MATTERS:**

Garrett Clinard of 1522 W. Michigan spoke about an altercation that took place in front of a business in Frandor between him and the business owner. He spoke about the lack of help that he is receiving from the City Attorney's Office and the Lansing Police Department.

COUNCILMEMBER DUNBAR ARRIVED AT THE MEETING

Berl Schwartz of 332 N. Butler spoke in support of the previous speaker. He said that after the altercation occurred he arrived to talk to the business owner and he was not a very nice person to him.

Stan Shuck of 818 Cooper spoke about promises that are made for political gain. He also spoke about Detroit hiring people for their waste hauling positions.

John Pollard of 1718 Blair spoke about the North Network Center being forced to move. He also spoke about a FOIA request that he filed in May 2006.

Evelyn Trotter of 1914 Thompson spoke in support of the North Network Center.

Walter Brown of 1310 Knollwood spoke about the North Network Center being made to move to a new location. He also spoke about allegedly false information that is being given out from the Human Relations and Community Services Department.

Frank S. Curtis X of 1137 W. Allegan spoke about the South Side Coalition needing additional assistance.

Willy Williams of P O Box 11042 spoke about comments that were made at last weeks meeting from a speaker regarding a Protection

order that was filed against a regular council attendee.

LEGISLATIVE MATTERS

REFERRAL OF PUBLIC HEARINGS

RESOLUTIONS

REPORTS FROM COUNCIL COMMITTEES

ORDINANCES FOR INTRODUCTION

ORDINANCES FOR PASSAGE

REPORTS FROM CITY OFFICERS, BOARDS, AND COMMISSIONS; COMMUNICATIONS AND PETITIONS; AND OTHER CITY RELATED MATTERS

By Councilmember Jeffries that all items be considered as being read in full and that President Leeman make the appropriate referrals

Motion Carried

• Reports from City Officers, Board and Commissions:

- a. Letter from the City Clerk submitting minutes of Boards and Authorities placed on file in the City Clerk's Office

RECEIVED AND PLACED ON FILE

- b. City of Lansing 2006 Comprehensive Annual Financial Report for FY Ending June 30, 2006 and related letter from Rehmann Robson

REFERRED TO THE COMMITTEE ON WAYS AND MEANS AND INTERNAL AUDITOR

- c. Letters from the Mayor re:

- i. Transfer of Funds; Parks Millage Capital Projects, Infrastructure Fund-Mt. Hope Cemetery Fencing Project

REFERRED TO THE COMMITTEE ON WAYS AND MEANS AND INTERNAL AUDITOR

- ii. Applications for Neighborhood Enterprise (NEZ) None

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

- iii. Certificates filed by Larry Nakfoor on behalf of Wenco, LLC for Properties located at:

- 212 S. Washington Ave.
- 214 S. Washington Ave.

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

- iv. Application for Neighborhood Enterprise (NEZ) Zone Certificate filed by the Greater Lansing Housing Coalition for property located at 547 Baker St.

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

- v. Application for the Establishment of a Neighborhood Enterprise Zone #21 (NEZ) filed by Richard Ferguson and Tom Knoy for the Riverbend/Whitehall property (Eastern block of 200 and 300 East Main St.; stretching from Washington Ave. to Pennsylvania Ave.)

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

- vi. IDD-01-07; 300 & 312 Spring St. and 830 & 905 River St., Application for an Industrial Development District (IDD) filed by S & S Die Company

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

• Communications and Petitions, and Other City Related Matters:

- a. Letter from the State of Michigan Department of Treasury providing notice of the revocation of an Industrial Facilities Exemption Certificate issued to Novations Group, located at 3101 Technology Pkwy, Ste. H

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING AND REFERRED TO THE DEPARTMENT ON DEVELOPMENT AND PLANNING AND REFERRED TO THE CITY ASSESSORS OFFICE

- b. Tri-County Regional Planning Commission Financial Statements for the FY ending September 30, 2006 and Independent Auditors' Report and Single Audit Reports

REFERRED TO WAYS AND MEANS AND THE INTERNAL AUDITOR

- c. Letter from Johnnie Lewis of 2410 Pleasant Grove Road regarding a trash removal assessment

REFERRED TO THE CITY ATTORNEY

The Council returned to the order of

CONSIDERATION OF LATE ITEMS

By Vice President Jeffries

To suspend City Council Rule #11 to allow for consideration of Late Items

Motion carried

The following items were added to the agenda:

1. From Councilmember Leeman: A letter from Garrett Clinard of 1522 W. Michigan Ave. regarding the way the City Attorney's office handled his complaint against a local business owner

The Council returned to the order of:

REPORTS FROM CITY OFFICERS, BOARDS AND COMMISSIONS, COMMUNICATIONS AND PETITIONS, AND OTHER CITY RELATED MATTERS

A letter from Garrett Clinard of 1522 W. Michigan Ave. regarding the way City Council handled his complaint against a local business owner

SUSPENSION ITEM REFERRED TO PUBLIC SAFETY AND REFERRED TO THE CITY ATTORNEY

REMARKS BY COUNCILMEMBERS

City Attorney Smith spoke about the letter that was submitted by a speaker today regarding his alleged assault. He also spoke about the FOIA request that was mentioned by a speaker today.

**REMARKS BY THE MAYOR
OR EXECUTIVE ASSISTANT**

Jerry Ambrose, Executive Assistant to the Mayor, spoke about the North Network Center and the commitment to them by the Mayor. He spoke about a draft copy of the lease for Potter Park Zoo. He said that no current employee of the Zoo will lose their job.

ADJOURNED TIME 2:32 P.M.

CHRIS SWOPE, CITY CLERK



**OFFICIAL PROCEEDINGS OF
THE CITY COUNCIL
CITY OF LANSING
PROCEEDINGS OF JANUARY 22, 2007
CORRECTED**

City Council Chambers
Lansing, Michigan

The City Council of the City of Lansing met in regular session and was called to order at 7:00 P.M. by President Leeman.

PRESENT: Councilmembers Allen, Jeffries, Kaltenbach,
Leeman, Wood

ABSENT: Councilmembers Dunbar (arrived at 7:07 P.M.) and
Williams (arrived at 7:10 P.M.)

Meditation and Pledge of Allegiance led by President Leeman

APPROVAL OF MINUTES

By Councilmember Jeffries

To approve the printed Council Proceedings of January 8, 2007.

Motion carried

CONSIDERATION OF LATE ITEMS

TABLED ITEMS

SPECIAL CEREMONIES

- Special Ceremonies

There were no Special Ceremonies

**COUNCILMEMBERS' COMMENTS
AND CITY CLERK'S ANNOUNCEMENTS:**

Councilmember Kaltenbach announced that the Downtown Neighborhood Association will be holding their annual meeting on Saturday, January 27 from 9:00 a.m. to 12:00 p.m. at Lansing Community College Administration Building in the Board Room.

Monica Zuchowski, Downtown Neighborhood Association, gave additional information about the meeting and about joining the association.

COUNCILMEMBER DUNBAR ARRIVED AT THE MEETING

Councilmember Dunbar thanked everyone who came out to see "she Laughs." She said this event was a fund raiser for the Women's Center and it was a sold out crowd. She said because of the overwhelming response that they received from this comedy show they have decided to have another show on Friday, February 16 from 8:00 p.m. to 11:00 p.m. She said tickets are \$20.00 and are available at the Women's Center on Michigan Ave.

Councilmember Wood announced that the Bea Christy Dinner is fast approaching. She said this is an opportunity for Neighborhoods to nominate someone for this special award and all nominations are due in to the Lansing Neighborhood Council by January 29, the dinner is February 23 at the Lansing Center and tickets are \$16.00 and can be purchased at the Lansing Neighborhood Council. She said that this is also the Lansing Neighborhood Council's 25th Anniversary and there are

some wonderful gifts that are being donated by some area businesses for door prizes. She said when you purchase your ticket for the dinner you will receive a raffle ticket for the door prizes. Also the Neighborhood Grant applications are due to the Lansing Neighborhood Council by February 2, and if you have any questions you can call them at 372-6290.

Vice President Jeffries thanked the Lansing Police Department for their quick response to a break-in that occurred at his house a week ago. He said that he also wanted to thank his colleagues and his neighbors for calling to see if his family was all right.

COUNCILMEMBER WILLIAMS ARRIVED AT THE MEETING

City Clerk Swope stated that the City Council will be conducting the interviews for the vacant Council Seat on Tuesday. He said the interviews will be aired lived on City TV Channel 12; the interviews will begin at 6:00 p.m.

SPEAKER REGISTRATION FOR PUBLIC COMMENT

(Clerk Swope announced that the public comment registration form(s) for those intending to address Council on legislative or City government matters will be collected and that only those persons who have fully completed the form(s) will be permitted to speak.)

MAYORS COMMENTS

Mayor Bernero said that today he welcomed a new business that will be joining Niowave at the former Walnut Street School building. He said the company, Aqua Bio Chip, will be working alongside Niowave to help create a way to detect viruses and other things before they hit people. He spoke about a new home for the North Network Center on the property of the School for the Blind. Mayor Bernero said that he wanted to extend his condolences out to the family of Grady Porter for their loss. He said that Grady was such an outstanding person and he will be greatly missed.

The Council returned to the order of:

CONSIDERATION OF LATE ITEMS

By Vice President Jeffries

To suspend City Council Rule #11 to allow for consideration of Late Items

Motion carried

The following items were added to the agenda:

1. From Councilmember Allen; Letter from Gary Andrews, 560 Brookland Blvd. regarding snow removal

SHOW CAUSE HEARINGS

- Comment on Scheduled Show Cause Hearings:

There were no Scheduled Show Cause Hearings

PUBLIC COMMENT

ON LEGISLATIVE MATTERS• Public Comment on Legislative Matters:

Legislative Matters included the following public hearings:

There were no Scheduled Public Hearings

John Pollard of 1718 Blair spoke in support of the NEZ request for Baker Street. He said that the City should grant NEZs to more properties in Lansing.

PUBLIC COMMENT**ON CITY GOVERNMENT RELATED MATTERS:**

Michael Todd of 402 W. Grand River spoke in support of the North Network Center.

Evelyn Trotter of 1914 Thompson spoke about how she is happy to hear that an agreement had been made with regards to the North Network Center.

Hassan Malouf of 6288 Gossard Ave spoke in support of the North Network Center. He said that he first learned of the Center when he was a student at Michigan State University and had to work with the kids on programs for one of his classes.

Rebecca Walter of 1414 Roosevelt spoke in support of the new location for the North Network Center.

John Pollard of 1718 Blair spoke about his FOIA request that he filed in May 2006. He also spoke about the Deluxe Inn being allowed to stay in business.

Lawrence Green of 1825 Sunset spoke about concerns that he has with the streets having barriers put on them and asked what kind of example this will show the kids in the neighborhoods.

William Hubbell of 3916 Wedgewood spoke in opposition to the Mayor trying to delay the implementation of Proposal 2.

Frank S. Curtis X of 1137 W. Allegan spoke about the North Network Centers proposed new location. He also spoke about police officers chasing two young men down Michigan Avenue.

Paula Hubbert 1145 S. Grand thanked the Mayor for the new location for the North Network Center.

Walter Brown of 1310 Knollwood spoke about concerns that he has with the proposed new location for the North Network Center and that he has not been told anything about the new location.

Charlene Decker of 2711 Pleasant Grove spoke about the loss of Michael John Simon. She also spoke about the proposed lease agreement for the Zoo.

LEGISLATIVE MATTERS**REFERRAL OF PUBLIC HEARINGS**

There were no Public Hearings

RESOLUTIONS

THIS ITEM WAS PULLED FROM THE AGENDA

RESOLUTION #

BY THE COMMITTEE ON DEVELOPMENT AND PLANNING

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

Neighborhood Enterprise Zone Property Tax Abatement Certificate Approval for 547 Baker Street, Lansing, Michigan.

WHEREAS, the proposed property is located within a Neighborhood Enterprise Zone established by Resolution #328 adopted July 19, 2004; and

WHEREAS, an application was filed with the City of Lansing on November 29, 2006 by the Greater Lansing Housing Coalition for a proposed rehabilitation of a single-family residence located at 547 Baker Street, Lansing, Michigan in Zone No. 16 Baker-Donora Neighborhood, requesting a rehabilitation certificate; and

WHEREAS, the City wishes to encourage residential housing in areas that are economically distressed through the use of Public Act 147 of 1992 as amended and recognizes that use of the Neighborhood Enterprise Zone program is a vital resource to further the goals of creating residential opportunities and redevelopment in the City of Lansing and promoting new construction and rehabilitation of existing buildings for the purpose of creating residential housing; and

WHEREAS, the primary use of the property following rehabilitation will be residential owner occupied, and

NOW, THEREFORE, BE IT RESOLVED, that the City Council acknowledges receipt of the application filed by the Greater Lansing Housing Coalition for 547 Baker Street, Lansing, Michigan, and finds that it complies with the requirements of Public Act 147 of 1992 as amended; and

BE IT FURTHER RESOLVED, that the Greater Lansing Housing Coalition provide a deed restriction that requires the property at 547 Baker Street, Lansing be homeowner-occupied when the property is sold, and

BE IT FURTHER RESOLVED, that City Council finds that the application meets the requirements necessary for approval of the Neighborhood Enterprise Zone Certificate so that it hereby approves the issuance of a Neighborhood Enterprise Zone Certificate for 547 Baker Street, Lansing, Michigan in Zone No. 16 Baker/Donora Neighborhood for a period of twelve (12) years.

BE IT FINALLY RESOLVED, that the City Clerk provide three (3) certified copies of this resolution to the Lansing Economic Development Corporation for submission of this action to the State Tax Commission.

REPORTS FROM COUNCIL COMMITTEES

There were no Committee Reports

ORDINANCES FOR INTRODUCTION

There were no Ordinances for Introduction

ORDINANCES FOR PASSAGE

There were no Ordinances for Passage

CITY OFFICERS, BOARDS AND COMMISSIONS, COMMUNICATIONS AND PETITIONS, AND OTHER CITY RELATED MATTERS

By Councilmember Jeffries that all items be considered as being read in full and that President Leeman make the appropriate referrals

Motion Carried

- Reports from City Officers Board and Commissions:
- a. Letters from the Mayor re:
 - i. Grant Acceptance; Michigan Department of Community Health "Metro Conspiracy and Special Prosecution Grant" for fiscal FY 2006-2007

REFERRED TO WAYS AND MEANS AND INTERNAL AUDIT

- ii. Grant Acceptance; U.S. Department of Housing and Urban Development (HUD) for the Lead Hazard Reduction Demonstration Program Grant

REFERRED TO WAYS AND MEANS AND INTERNAL AUDIT

- iii. Revocation of the Neighborhood Enterprise Zone (NEZ) Certificate for property located at 210 S. Washington Ave.

REFERRED TO THE COMMITTEE ON DEVELOPMENT & PLANNING

- Communications and Petitions and Other City Related Matters:
- a. Letters (2) from the State of Michigan, Department of Environmental Quality providing notice of the approval of the Soil Erosion and Sedimentation Control Act Ordinance adopted by the City of Lansing

REFERRED TO THE COMMITTEE ON DEVELOPMENT & PLANNING AND REFERRED TO PLANNING & NEIGHBOR DEVELOPMENT

- b. Community Funding Reporting Statement filed by Hmong American Community Inc. for their New Year's Celebration held on November 18 & 19, 2006

REFERRED TO GENERAL SERVICES

- c. Letters regarding traffic concerns on Devonshire Ave. between Jolly Rd. and Cavanaugh Rd. from:
 - Thomas and Susan Hamlin, no address provided
 - W. Thomas Hamlin of 4621 Devonshire Ave.

REFERRED TO THE TRANSPORTATION DEPARTMENT AND REFERRED TO TRAFFIC BOARD

- d. Letter from Elaine J. Bogart of 5216 Tulip Ave. in support of the Lansing Teen Challenge being placed at the former Holmes St. School

REFERRED TO THE COMMITTEE ON DEVELOPMENT & PLANNING AND REFERRED TO PLANNING & NEIGHBOR DEVELOPMENT

Letter from Gary Andrews 560 Brookland Blvd. regarding Snow Removal

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

REMARKS BY COUNCILMEMBERS

There were no remarks by Councilmembers.

REMARKS BY THE MAYOR

OR EXECUTIVE ASSISTANT

Jerry Ambrose, Executive Assistant to the Mayor, said that he wanted to send out his condolences to the family of Grady Porter. He said that Grady was a super person both in business and personally. He said that in regards to comments that were made this evening about the lease agreement for the Zoo, we have received many different copies of the agreement and the Council has seen every one of those. He said we have received another copy and we have been told that we will receive a final copy of the agreement and send it to Council by the end of January or the first of February. He spoke about the NEZ application process. He said that NEZ certificates are issued for certain properties in the districts and if anyone would like to apply for a certificate you can do so by calling Bob Johnson who is the Director of the Development and Planning Office at 485-4068

ADJOURNED TIME 7:52 P.M.

CHRIS SWOPE, LANSING CITY CLERK



**OFFICIAL PROCEEDINGS OF
THE CITY COUNCIL
CITY OF LANSING
PROCEEDINGS OF JANUARY 29, 2007**

City Council Chambers
Lansing, Michigan

The City Council of the City of Lansing met in regular session and was called to order at 5:00 P.M. by President Leeman.

PRESENT: Councilmembers Allen, Dunbar, Jeffries, Kaltenbach,
Leeman, Williams, Wood

ABSENT: None

Meditation and Pledge of Allegiance led by President Leeman

RESOLUTION # 011

BY THE COMMITTEE OF THE WHOLE
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, an At Large Councilmember seat became vacant on January 1, 2007; and

WHEREAS, in accordance with the Lansing City Charter, the City Council must fill the vacant seat within 30 days; and

WHEREAS, the City Council developed a process to appoint someone to the vacant At Large seat within 30 days; and

WHEREAS, under this process, applications to fill the vacancy were accepted in the City Clerk's office starting Wednesday, January 3, 2007 until Wednesday, January 17, 2007, at 4:00 p.m.; and

WHEREAS, the City Clerk reviewed these applications to determine whether the applicants met the Charter qualifications to hold office under Sections 2-102 and 2-103 of the Charter; and

WHEREAS, the City Council scheduled interviews of all qualified applicants for a Committee of the Whole meeting on January 23, 2007 to be continued if necessary on January 24, 2007; and

WHEREAS, the Committee of the Whole was able to complete interviews of all qualified applicants during its January 23, 2007 meeting; and

WHEREAS, the Council's process called for selecting three finalists based on the top three vote getters from the field of qualified applicants, with each Councilmember selecting up to three candidates on the record through an open, signed ballot; and

WHEREAS, the top vote getter received 6 votes and 3 other candidates tied for the remaining two anticipated slots; and

WHEREAS, four candidates were therefore selected as finalists; and

WHEREAS, the voting process and results were re-ratified during the January 25, 2007 Committee of the Whole meeting; and

WHEREAS, these finalists were Derrick Quinney, Robin Smith, Christopher McCarthy, and Edward Benson; and

WHEREAS, the four finalists were interviewed during the January 25, 2007 Committee of the Whole meeting, at which each Councilmember voted for one and only one finalist on the record and through an open, signed ballot; and

WHEREAS, under the Council process, the candidate receiving the

most votes was to be selected as the appointee; and

WHEREAS, Derrick Quinney received the most votes, with 5 votes;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council appoints Derrick Quinney to fill the vacant At Large seat until noon on January 1, 2008, which under the Charter is the January first following the earliest November general election at which a successor can be elected to fill the office for the remainder of the term

By Councilmember Jeffries

Motion Carried

City Clerk Swope administered the Oath of Office to Derrick Quinney.

Councilmember Quinney said that today marks an important day in his life. He thanked everyone who has supported him and for coming. He said he will be here to support the citizens of Lansing and all of the communities.

APPROVAL OF MINUTES

By Councilmember Williams

To approve the printed Council Proceedings of January 18 and 22, 2007

Motion carried

CONSIDERATION OF LATE ITEMS

By Vice President Jeffries

To suspend City Council Rule #11 to allow for consideration of Late Items

Motion carried

The following items were added to the agenda:

1. From Councilmember Jeffries; the 2006 State of the City Report
2. From Councilmember Wood; Grant Acceptance; FY07-FY09 Lead Hazard Reduction Grant

SPECIAL CEREMONIES

There were no Special Ceremonies

**COUNCILMEMBERS' COMMENTS
AND CITY CLERK'S ANNOUNCEMENTS:**

Councilmember Wood announced that the Genesee Neighborhood Association will be having their regular meeting on Thursday, February 1st at Grace Lutheran Church on Martin Luther King Jr Blvd. She said the Community Police Officer that is assigned to that area will be at the meeting. The Community Emergency Response Team (CERT) Training will be February 20th through 23rd from 5:00 p.m. to 9:00 p.m. at Fire Station #1. Space is limited; please call 256-3152 to register.

Councilmember Williams wished his wife a very Happy 16th

Anniversary.

President Leeman announced that the Northtown Neighborhood Association will be meeting on Tuesday, January 30th at 6:30 p.m. at Grand River School.

Councilmember Allen reminded all the home viewers to watch the Mayor's address this evening.

Councilmember Quinney said that he is very excited to be in this seat and that he is looking forward to working with everyone.

SPEAKER REGISTRATION FOR PUBLIC COMMENT

(Clerk Swope announced that the public comment registration form(s) for those intending to address Council on legislative or City government matters will be collected and that only those persons who have fully completed the form(s) will be permitted to speak.)

MAYORS COMMENTS

Jerry Ambrose, Executive Assistant to the Mayor, said that the Mayor is looking forward to seeing everyone at ACD.net on Grand River for the State of the City Address.

SHOW CAUSE HEARINGS

- Comment on Scheduled Show Cause Hearings:

There were no Show Scheduled Cause Hearings

PUBLIC COMMENT ON LEGISLATIVE MATTERS

- Public Comment on Legislative Matters:

Legislative Matters included the following public hearings:

There were no Scheduled Public Hearings

John Pollard of 1718 Blair spoke about concerns that he has with the SLU request for the 900 Block of N. Larch. He also spoke in support of the NEZ request for Baker St. He congratulated Councilmember Quinney on his appointment.

Eric Hewitt of 901 E. Grand River spoke in support of the SLU request for N. Larch. He thanked everyone who has been involved in this process.

PUBLIC COMMENT ON CITY GOVERNMENT RELATED MATTERS:

Stan Shuck of 818 Cooper spoke about how no jobs have been created as promised by some of the new companies that have opened in the City.

Lawrence Green of 1825 Sunset congratulated Councilmember Quinney on his appointment to the Council.

John Pollard of 1718 Blair spoke about the raising costs on fees, permits and licenses. He also spoke about the Mayor's State of the City Speech of 2006.

Chris McCarthy of 3108 Sablain thanked the Council for interviewing him for the City Council vacancy. He wished Councilmember Quinney good luck on his new position.

LEGISLATIVE MATTERS

REFERRAL OF PUBLIC HEARINGS

There were no Scheduled Public Hearings

RESOLUTIONS

RESOLUTION #012

BY THE COMMITTEE OF DEVELOPMENT AND PLANNING
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

SLU-3-2006
Vacant Property - 900 Block of N. Larch Street
Residential Use in the "H" Light Industrial District

WHEREAS, the applicant, Fady, Inc., has requested a Special Land Use permit (SLU-3-06) to permit the construction of a 4-unit residential townhouse building on the vacant property located between 918 and 1000 N. Larch Street; and

WHEREAS, the property is zoned "H" Light Industrial District where residential uses are permitted subject to obtaining a special land use permit; and

WHEREAS, a review was completed by staff evaluating the character, location and impact this proposal would have on the surrounding area and the impact on the environment, utilities, services and compliance with the Zoning Code and objectives of the Comprehensive Plan; and

WHEREAS, the Planning Board held a Public Hearing on May 2, 2006 at which time the applicant spoke in favor of the request and no other comments were received; and

WHEREAS, the Planning Board (based upon testimony, evidence and the staff report) at its June 6, 2006 meeting, voted unanimously (5-0) to recommend approval of SLU-3-06 to allow residential use of the property in the "H" Light Industrial District, subject to the three conditions; and

WHEREAS, the City Council held a public hearing regarding SLU-3-06 on July 17, 2006; and

WHEREAS, the Committee on Development and Planning has reviewed the report and recommendation of the Planning Board and concurs therewith;

NOW THEREFORE BE IT RESOLVED that the Lansing City Council hereby approves SLU-3-06, to allow a 4-unit residential townhouse building in the "H" Light Industrial District with the following conditions:

1. A decorative brick wall, three feet in height, be constructed along the street side of the parking lot;
2. A decorative brick wall, six feet in height, be constructed around the remainder of the parking area;
3. A decorative screening fence, six feet in height, be constructed along the side property lines;
4. One small tree be planted in each of the grass areas north of the building and one large shade tree be planted in the grass area immediately west of the building; and

5. All plant materials be installed prior to occupancy of the building and maintained for the life of the project. Should any plant materials need to be replaced, such replacement shall take place within thirty (30) days after notification by the city, weather permitting.

BE IT FURTHER RESOLVED that this Special Land Use permit shall remain in effect only so long as the petitioner fully complies with the condition set forth above in this resolution, and if the petitioner fails to comply, the Special Land Use permit may be terminated by City Council Resolution.

BE IT FINALLY RESOLVED that in granting this request with one condition, the City Council determines the following:

1. The proposed residential use is compatible with the essential character of the surrounding area, as designed.
2. The proposed residential use will not change the essential character of the surrounding area.
3. The proposed residential use will not interfere with the general enjoyment of adjacent properties.
4. The proposed residential use will not impact adjacent properties as it will not be detrimental to the use or character of the property under consideration and the surrounding area in general.
5. The proposed residential use will not impact the health, safety and welfare of persons or property in the surrounding area.
6. The proposed residential use can be adequately served by essential public facilities and services.
7. The proposed residential use will not place any demands on public services and facilities in excess of current capacities.
8. The proposed residential use is consistent with the intent and purposes of the Zoning Code and in conformance with the master plan.
9. The proposed residential use will comply with the requirements of the "H" Light Industrial District.

By Councilmember Jeffries

Motion Carried

RESOLUTION #013

BY THE COMMITTEE ON DEVELOPMENT AND PLANNING
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

Neighborhood Enterprise Zone Property Tax Abatement Certificate Approval for 547 Baker Street, Lansing, Michigan.

WHEREAS, the proposed property is located within a Neighborhood Enterprise Zone established by Resolution #328 adopted July 19, 2004; and

WHEREAS, an application was filed with the City of Lansing on November 29, 2006 by the Greater Lansing Housing Coalition for a proposed rehabilitation of a single-family residence located at 547 Baker Street, Lansing, Michigan in Zone No. 16 Baker-Donora Neighborhood, requesting a rehabilitation certificate; and

WHEREAS, the City wishes to encourage residential housing in areas that are economically distressed through the use of Public Act 147 of 1992 as amended and recognizes that use of the Neighborhood Enterprise Zone program is a vital resource to further the goals of creating residential opportunities and redevelopment in the City of Lansing and promoting new construction and rehabilitation of existing buildings for the purpose of creating residential housing; and

WHEREAS, the primary use of the property following rehabilitation will be residential owner occupied, and

NOW, THEREFORE, BE IT RESOLVED, that the City Council acknowledges receipt of the application filed by the Greater Lansing Housing Coalition for 547 Baker Street, Lansing, Michigan, and finds that it complies with the requirements of Public Act 147 of 1992 as amended; and

BE IT FURTHER RESOLVED, that the Greater Lansing Housing Coalition is encouraged to place a deed restriction that requires the property at 547 Baker Street, Lansing to be homeowner-occupied when the property is sold, and

BE IT FURTHER RESOLVED, that City Council finds that the application meets the requirements necessary for approval of the Neighborhood Enterprise Zone Certificate so that it hereby approves the issuance of a Neighborhood Enterprise Zone Certificate for 547 Baker Street, Lansing, Michigan in Zone No. 16 Baker/Donora Neighborhood for a period of twelve (12) years.

BE IT FINALLY RESOLVED, that the City Clerk provide three (3) certified copies of this resolution to the Lansing Economic Development Corporation for submission of this action to the State Tax Commission.

By Councilmember Jeffries

Motion Carried

RESOLUTION #014

BY THE COMMITTEE ON DEVELOPMENT AND PLANNING
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

Neighborhood Enterprise Zone #21 – Riverbend-Whitehall

WHEREAS, the City of Lansing supports the efforts to improve and revitalize the downtown area through housing opportunities and the construction of new housing units in the area; and

WHEREAS, the Michigan Neighborhood Enterprise Zone Act, being Public Act 147 of 1992, was enacted to encourage new housing construction and the renovation of existing properties in older established cities of the State, including the City of Lansing, by allowing cities to grant certain tax abatements on specific residential properties located in designated districts; and

WHEREAS, the Mayor's Housing Task Force recognizes that an additional Neighborhood Enterprise Zone in the downtown is a vital resource to further the goals of creating residential opportunities and redevelopment in downtown and promoting new construction and renovation of existing buildings for the purpose of creating unique residential housing units; and

WHEREAS, an additional Neighborhood Enterprise Zone in the downtown area will assist property owners and developers in making much needed improvements, including housing rehabilitation and new construction; and

WHEREAS, P.A. 147 of 1992 requires that the City Assessor and each taxing unit receive notification of the City's intent to establish a Neighborhood Enterprise Zone not less than 60 days prior to the designation action and further requires the City to hold a public hearing on the establishment of a Neighborhood Enterprise Zone not later than 45 days after said notification to the Assessor and the taxing units;

NOW, THEREFORE, BE IT RESOLVED that the City Council of the

City of Lansing approves the boundaries for the new Neighborhood Enterprise Zone as depicted in the diagram filed with the City Clerk and as described below:

Riverbend-Whitehall, No. 21

Boundaries: Main St. to the north, The Grand River to the south, Washington Ave to the West, and the east line of parcel 33-01-01-21-203-030 to the East.

BE IT FURTHER RESOLVED that the City Clerk give the required 60 days notice of the intent to establish the zone to the City Assessor and all taxing units in each of the proposed Neighborhood Enterprise Zones of the City.

BE IT FINALLY RESOLVED that a public hearing be held in the City Council Chambers of the City of Lansing, 10th floor, Lansing City Hall, Lansing, Michigan, on February 12, 2007, at 7:00 p.m., and that the City Clerk publish the requisite advanced notice of the hearing in a publication of general circulation in the City.

By Councilmember Jeffries

Motion Carried

RESOLUTION #015

BY THE COMMITTEE ON DEVELOPMENT AND PLANNING
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING
IDD – S&S Die Company

WHEREAS, the City Council of the City of Lansing has received a request from S&S Die Company to create a Lansing Industrial Development District (IDD-1-07) encompassing property commonly known as 905 River Street, 830 River Street, 300 Spring Street, and 312 Spring Street legally described as follows:

PARTS OF LOTS 1, 2, 9 & 10 COM BLOCK 224, TH S 67.57 FT, N 89DEG 44 MIN 14SCD E 65.69 FT, N 01DEG 31MIN 45SCD W 4.89 FT, N 89DEG 51MIN 15SCD E 135.6 FT TO C/L FORMER MCRR R/W NE'LY 63.47 FT ALONG 1308.4 FT RADIUS CURVE TO RT CHORD BEARING N 11DEG 20MIN 45SCD E 63.46 FT TO S LINE SPRING ST, W 213.12 FT TO BEG; BLOCK 224 ORIG PLAT

BLOCK 226 ORIG PLAT

THAT PART BLOCK 225 LYING N'LY & E'LY OF A LINE COM 202.63 FT S OF NE BLOCK COR, TH N 80DEG 08MIN 47SCD W 15.14 FT, S 09DEG 51MIN 13 SCD E 5 FT, N 80DEG 08MIN 47SCD W 84 FT, N 09DEG 51MIN 13SCD E 35 FT, N 80DEG 08MIN 47SCD W 59.55 FT, N 20DEG 08MIN 47SCD W 106.65 FT, N 80 DEG 08 MIN 47SCD W 58.31 FT, TO E LINE RIVER WALK, N 15 DEG 49MIN 05SCD E 58,31 FT TO POE; BLOCK 225 ORIG PLAT

WHEREAS, prior to acting on this request, it is necessary to hold a public hearing on the proposed creation of IDD-1-07, to allow for all residents, taxpayers and other interested persons the right to appear and be heard;

NOW, THEREFORE, BE IT RESOLVED, that a public hearing be held in the City Council Chambers of the City of Lansing, 10th Floor, Lansing City Hall, Lansing Michigan, on the 19th day of February, 2007 at 7:00 p.m. when all persons interested may attend and be heard and make any objection they may have to the proposed District, and that the City Clerk cause to be published notice of such hearing in a publication of general circulation, and that the City Clerk also cause the owners of real property located within the proposed amended district to be notified by certified mail of the request and the scheduled public hearing.

By Councilmember Jeffries

Motion Carried

RESOLUTION #016

BY THE COMMITTEE ON DEVELOPMENT AND PLANNING
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, on September 5, 2000, the Lansing City Council adopted Resolution #431 to approve application from Ny-Mac Enterprises requesting a Neighborhood Enterprise Zone Property Tax Abatement Certificate for a period of 12 years on the property located at 210 S. Washington Square, Lansing, Michigan pursuant to Public Act 147 of 1992, as amended (the Act); and

WHEREAS, on November 28, 2001, the State Tax Commission approved the Neighborhood Enterprise Zone Certificate #N2001-074 for Ny-Mac Enterprises on the property located at 210 S. Washington Square, Lansing, Michigan beginning December 31, 2001, and ending December 30, 2013, and

WHEREAS, Section 11 (4) of the Act states that if the owner of the facility fails to make the annual payment of the neighborhood enterprise zone tax and the ad valorem property tax on the land under the general property tax act, 1893 PA 206, MCL 211.1 to 211.157, the commission by order shall revoke the certificate. However, if payment of these taxes is made before the revocation is effective, the commission, upon application of the owner, shall rescind the order of revocation. If payment of these taxes and any subsequent ad valorem property tax due on the facility is made after revocation of the certificate, the commission, upon application of the owner, shall reinstate the certificate for the remaining period of time for which the original certificate would have been in effect; and

WHEREAS, the City of Lansing received Notice of Show Cause Hearing and Judicial Foreclosure Hearing for Non-Payment of Property Tax published in a local newspaper from the Ingham County Treasurer for the property located at 210 S. Washington Square, Lansing, Michigan; and

WHEREAS, the Lansing Economic Development Corporation had sent notification on September 12, 2006 by certified mail, return receipt to Douglas Nylander of Ny-Mac Enterprises to inform that revocation of the Neighborhood Enterprise Zone Certificate will proceed unless all delinquent taxes are made current; and

WHEREAS, Ny-Mac Enterprises has not brought the delinquent property taxes current with the Ingham County Treasurer.

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council hereby revokes the Neighborhood Enterprise Zone Certificate #N2001-074 previously granted to Ny-Mac Enterprises.

BE IT FURTHER RESOLVED that the Lansing City Council requests the Michigan State Tax Commission to revoke the Neighborhood Enterprise Zone Certificate #N2001-074 previously granted to Ny-Mac Enterprises.

BE IT FINALLY RESOLVED that the City Clerk shall immediately cause a certified copy of this resolution to be filed with the Michigan State Tax Commission.

By Councilmember Jeffries

Motion Carried

RESOLUTION #017

BY THE COMMITTEE ON PLANNING AND DEVELOPMENT

AMOUNT TO TRANSFER	TRANSFER FROM ACCOUNT #	TRANSFER TO ACCOUNT #
\$65,000.00	Park Millage – Davis Park Improvements 412.933890.974000.43922	
\$65,000.00		Park Millage – Mt Hope Cem Fence 412.933890.974000.43979

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

LS-9-2006, 924 N. Sycamore Street
Lot Split Application

WHEREAS, Gerald Laban has requested a lot split (LS-9-06) to alter the boundaries of the property at 924 N. Sycamore Street and the vacant lot immediately to its south; and

WHEREAS, one of the lots that will result from the lot line alteration will be 45 feet in width and 99 feet in depth; and

WHEREAS, Sections 1236.07(b) & (c) of the Subdivision Ordinance requires a minimum lot width of 60 feet and a minimum lot depth of 100 feet; and

WHEREAS, the lot split will not change the residential character of the area; and

WHEREAS, the lot split will not present a significant deviation from the existing development pattern in the area; and

WHEREAS, the Planning Board, at its meeting held on June 6, 2006 voted (5-0) to recommend approval of the lot split; and

WHEREAS, the Committee on Planning and Development has reviewed the recommendation of the Planning Board and concurs therewith;

NOW THEREFORE BE IT RESOLVED that the Lansing City Council hereby approves the lot split request (LS-9-2006) by Gerald Laban to alter the boundaries of the property at 924 N. Sycamore Street and the vacant lot to its south, legally described as follows:

924 N. Sycamore Street: The west 103.5 ft of Lot 8 & the west 103.5 ft of the north 33 ft of Lot 9, Block 2, Moores Subdivision on Block 27

Bluff Street Property: The east 45 ft of Lot 8 and the east 45 ft of the north 33 ft of Lot 9, Block 2, Moores Subdivision on Block 27

AMOUNT TO TRANSFER	TRANSFER FROM ACCOUNT #	TRANSFER TO ACCOUNT #
\$65,000.00	410.000000.675003.000000 Infrastructure – Donations – Parks Dept-	
\$65,000.00		410.933890.974000.43979 Infrastructure – Mt Hope Cem Fence

By Councilmember Jeffries

Motion Carried

RESOLUTION #018

BY THE COMMITTEE ON WAYS & MEANS

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

That the following FY 2007 transfers be approved;

(Donation received from the Fratcher Foundation, to be used toward the fencing project at Mt. Hope Cemetery. In addition to this amount, a matching \$65,000 is to be appropriated in the Park Millage Fund for this project. The proposal to the Fratcher Foundation called for the replacement of 2,610 feet of fence on the east property boundary along Aurelius Road.)

(Funds are available because the Davis Park project is on hold. The Fratcher Foundation has donated \$65,000 to the City to be used toward the fencing project at Mt. Hope Cemetery. This transfer will provide additional funds for the fence project in an amount equal to the donation by the Fratcher Foundation.)

By Councilmember Wood

Motion Carried

RESOLUTION #019

BY THE COMMITTEE ON WAYS AND MEANS
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the City Council's Committee on Public Services on March 22, 2006 in Resolution #131 authorized the submission of a grant application to the Michigan Department of Natural Resources (MDNR) in concept only for improvements to Hunter Pool; and

WHEREAS, the MDNR requires a resolution from the governing body of the applicant supporting the application, acknowledging the required match and committing to the amount and the source of match that are specified in the application; and

WHEREAS, the local match (\$350,000) for the MDNR grant is included in the fiscal year 2007 CIP park millage budget request; and

WHEREAS, the City Council's Committee on Ways and Means on August 28, 2006 in Resolution #416 authorized and supported the required local match and committed to the amount and the source of the local match specified in the grant application as follows:

LOCAL MATCH (City of Lansing):	\$350,000
MDNR Trust Fund Grant:	\$500,000

WHEREAS, on December 6, 2006 the Michigan Natural Resources Trust Fund Board of Trustees unanimously voted to recommend to the Michigan Legislature that the Hunter Park Pool Renovation Project #TF06-050 be funded in the full amount of \$500,000; and

WHEREAS, the City Council in Resolution #416 requires that the Administration obtain City Council approval prior to accepting any grant offer resulting from the above authorized application.

NOW, THEREFORE, BE IT RESOLVED that the Administration is authorized to accept the grant offer; and

BE IT FINALLY RESOLVED that the City of Lansing, Michigan, will accept the terms of the agreement as received from the MDNR, and that the City of Lansing does hereby specifically agree, but not by way of limitation, as follows:

1. The Administration is authorized to receive the funds, create the necessary accounts, and make necessary transfers for administration in accordance with the requirement of the grantor;

2. The Administration is authorized to maintain satisfactory financial accounts, documents, and records to make them available to MDNR for auditing at reasonable times;

3. The Mayor of the City of Lansing is authorized to be the local authorized representative to sign documents in behalf of the City of Lansing;

4. The Administration is authorized to comply with any and all terms of said MDNR agreement including all terms not specifically set forth in the foregoing portion of this resolution;

3. Any additional funding over the approved \$350,000 local match would have to come back to Council for approval.

By Councilmember Wood

Motion Carried

RESOLUTION #020

BY THE COMMITTEE ON WAYS & MEANS
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

That the following FY 2007 transfers be approved:

City Council

AMOUNT TO TRANSFER	TRANSFER FROM ACCOUNT #	TRANSFER TO ACCOUNT #
\$ 1,038,003	Councilmember Bauer 101.112101.7412180	
\$ 1,038,003		Councilmember Quinney 101.112101.7412310

(To transfer the balance of the account of former Councilmember Joan Bauer to a new account for Councilmember-elect Derrick Quinney for Fiscal Year 2007.)

By Councilmember Wood

Motion Carried

RESOLUTION #021

BY THE COMMITTEE ON WAYS AND MEANS
APPROVED BY THE CITY COUNCIL OF THE CITY OF LANSING

Approval to Accept FY07-FY09 Lead Hazard Reduction Demonstration Grant

WHEREAS, the City of Lansing has applied for a Lead Hazard Reduction Grant; and

WHEREAS, the Lansing City Council reviewed and authorized submission of the grant to HUD; and

WHEREAS, HUD has awarded the City of Lansing \$1,384,886 in grant funds to be used over a three year period to reduce lead hazards in housing and has requested the City of Lansing to sign the grant on February 1, 2007; and

WHEREAS, the HUD required match of \$346,222 will be met by the Planning and Neighborhood Development Office using CDBG funds from its existing budget, which included staff and housing rehabilitation program activities; and

WHEREAS additional match funds from owner contributions toward the direct cost of eliminating lead paint hazards as well as from volunteer activities and in-kind assistance provided through key partners will exceed the required 25% match; and

WHEREAS, the Lead Hazard Reduction Demonstration Grant will provide funds for lead clearance in 120 homes; and

WHEREAS, the elimination of lead hazards in housing occupied by children under the age of six is a priority under the City's Consolidated Strategy and Plan; and

NOW, THEREFORE, BE IT RESOLVED, that the Lansing City Council approves the acceptance of the grant award by HUD for the purpose written above completing the activities funded through the Lead Hazard Reduction Demonstration Grant.

BE IT FURTHER RESOLVED that Virg Bernero, Mayor of the City of Lansing, is authorized to accept the above described award in the amount of \$1,384,886 and the HUD match not to exceed \$346,222 and that upon receipt of the grant agreement from HUD, he shall be authorized to sign the contract and to establish new and separate expenditure accounts as required by HUD for this grant.

BE IT FINALLY RESOLVED that the Department of Planning and Neighborhood Development is requested to provide quarterly reports to the Lansing City Council on the process of the Lead Hazard Reduction Program.

By Councilmember Wood

Motion Carried

RESOLUTION #022

BY THE COMMITTEE OF THE WHOLE
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

PUBLIC IMPROVEMENT I

WHEREAS, construction is scheduled to start in 2007 for the CSO 013 North West, the area generally bounded by: Sheridan Road on North; Turner Street on the East; Howe Street on the South; and Jones Lake on the West; and

WHEREAS, the above mentioned area has a history of street flooding and poor drainage and the Public Service Department has determined that the problem can be moderately alleviated by providing low cost **Storm Drainage Facilities** during the construction of the CSO 013 North West project; and

WHEREAS, the Public Service Department has established that there is a need for creating a Drainage Assessment District in the CSO 013 North West project area that would include: Hylewood Avenue; Fredrick Avenue; Fairfield Avenue; Carrier Street; Paulson Street; Howe Street; Felt Street; and Northdale Street; and

WHEREAS, the Public Service Department has determined that this proposed public improvement will benefit especially properties in the CSO 013 North West project area and that a benefit district pursuant to Chapter 1026 of the Lansing Code of Ordinances should be established to be specially assessed for the public improvement; and

WHEREAS, the Public Service Department recognizes that this neighborhood would be recipient of low-impact design technology to blend proposed improvements with the more rural setting of the neighborhood.

NOW, THEREFORE, BE IT RESOLVED that the City Council hereby

determines it to be of a public necessity to construct the following public improvements: **Storm Drainage Facilities** in Hylewood Avenue; **Fredrick Avenue**; **Fairfield Avenue**; **Carrier Street**; **Paulson Street**; **Howe Street**; **Felt Street**; and **Northdale Street** in the CSO 013 North West project area.

BE IT FURTHER RESOLVED that the cost of these improvements is to be solely financed by special assessments to the benefited property owners.

BE IT FINALLY RESOLVED that the Department of Public Service is hereby authorized to prepare necessary plans and specifications for these improvements, obtain the necessary easements for construction, and to determine the cost of said project in sufficient detail to establish the special assessment district and the applicable assessment to the properties in the district, and to furnish said information to the Mayor and City Council.

By Councilmember Jeffries

Motion Carried

INTRODUCTION OF ORDINANCES

The following ordinance of the City of Lansing, Michigan, providing that the Code of Ordinances be amended by providing for the rezoning of property located in the City of Lansing, Michigan, and for the revision of the district maps adopted by Section 1246.02 of the Code for property located at:

Z-15-2006, 3600 Block, S. Cedar Street, from "C" Residential and "J" Parking Districts to "F" Commercial District

was introduced by the Committee on Development & Planning, read a first and second time by its title and referred to the Committee on Development and Planning.

RESOLUTION #023

BY THE COMMITTEE ON DEVELOPMENT & PLANNING

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

Resolved by the City Council of the City of Lansing that a public hearing be set for Monday, February 19, 2007, at 7 p.m. in City Council Chambers, Tenth Floor, Lansing City Hall, 124 West Michigan Avenue, Lansing, Michigan, for the purpose of approving and/or opposing the Ordinance for rezoning:

Z-15-2006, 3600 Block, S. Cedar Street, from "C" Residential and "J" Parking Districts to "F" Commercial District

By Councilmember Jeffries

Motion Carried

REPORTS FROM COUNCIL COMMITTEES

There were no Committee Reports

ORDINANCES FOR INTRODUCTION

There were no Ordinances for Introduction

ORDINANCES FOR PASSAGE

There were no Ordinances for Passage

REPORTS FROM CITY OFFICERS, BOARDS, AND COMMISSIONS; COMMUNICATIONS AND PETITIONS; AND OTHER CITY RELATED MATTERS

By Councilmember Jeffries that all items be considered as being read in full and that President Leeman make the appropriate referrals

Motion Carried

- Reports from City Officers, Board and Commissions:

- a. Letter from the City Clerk regarding the Elected Officers Compensation Commission

REFERRED TO THE COMMITTEE OF THE WHOLE

- b. Letter from the City Clerk submitting minutes of Board of Authorities placed on file in the City Clerk's Office

RECEIVED AND PLACED ON FILE

- c. Principal Shopping District 2006 Annual Report

REFERRED TO THE COMMITTEE ON WAYS & MEANS AND THE INTERNAL AUDITOR AND REFERRED TO THE PUBLIC SERVICE COMMITTEE

*2006 State of the City Report

SUSPENSION ITEM – REFERRED TO THE COMMITTEE OF THE WHOLE

- Communications and Petitions, and Other City Related Matters:

- a. Letter from the State of Michigan Liquor Control Commission Department of Consumer & Industry Services providing notice of Denial of an application filed by Timmy's, LLC for a new SDM license located at 2417 E. Kalamazoo

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

- b. Letter from the State of Michigan Department of Treasury submitting a copy of a contract between Michigan Department of Transportation and City of Lansing for:

- Part A: Reconstruction work along Michigan Ave. from Grand Ave. to Capitol Ave.
- Part B: Watermain work along Michigan Ave. from Grand Ave to Capitol Ave.
- Part C: Streetscaping work along Michigan Ave. from Capitol Ave. to Pennsylvania Ave., including rain garden, decorative sidewalk pavers, landscaping, and lighting work
- Part D: Audiovisual taping and irrigation system work along Michigan Ave. from Capitol Ave. to Pennsylvania Ave., and all together with necessary related work

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES

- c. Letters from the State of Michigan Department of Treasury submitting Amended/Final Notice of the issuance of Obsolete Property Rehabilitation Exemption Certificates for property located at:

- 1221 N. Turner St
- 1213/1215 Turner St.

- 208 N. Capitol Ave.
- 1012 N. Walnut

REFERRED TO PLANNING AND NEIGHBORHOOD DEVELOPMENT
AND REFERRED TO THE COMMITTEE ON DEVELOPMENT AND
PLANNING

- d. Letter from Comcast Cable providing notice of channel
lineup changes effective February 15, 2007

RECEIVED AND PLACED ON FILE

- e. Letter from Dawn Klemens of 2415 Barstow Rd. regarding
waste collection containers

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES AND
REFERRED TO THE PUBLIC SERVICE DEPARTMENT

REMARKS BY COUNCILMEMBERS

Councilmember Kaltenbach asked Jerry Ambrose if he could please look into an email that the Mayor's office should have received regarding safety concerns for sledding at Ranney Park. He said that he wanted to congratulate Lynne Martinez on her appointment as the Executive Director for the Greater Lansing Housing Coalition.

Councilmember Wood asked if the Public Service Committee could really look into the request that Dawn Klemens has stated in her letter. She said Dawn has tried to work on this issue in the past. She wished her mother, Ruth Hallman, a Happy Birthday.

Councilmember Quinney thanked his wife Desiree who has been his biggest supporter.

REMARKS BY THE MAYOR OR EXECUTIVE ASSISTANT

Jerry Ambrose, Executive Assistant to the Mayor, welcomed Councilmember Quinney to the dais. He said that the administration is looking forward to working with him. He said that the Parks Department and the Mayor's staff members will be looking into that concern at Ranney Park.

***President Leeman recessed the City Council Meeting at
6:15 p.m. for the State of the City Address***

***President Leeman reconvened the City Council Meeting
at 7:00 P.M. and introduced Mayor Bernero who
presented the following State of the City Address.***



Mayor Virg Bernero
2007 State of the City Address

"Lansing On The Move"

ACD.net Metro Internet Exchange
January 29, 2007

Welcome and good evening. President Leeman, Councilmembers, honored guests, citizens of Lansing; it is my pleasure to present to you my 2007 State of the City Address.

I am delighted that all of you could join me here tonight at the Metro Internet Exchange, the new headquarters of ACD.net, one of the terrific technology companies that now calls Lansing home. My thanks to CEO Kevin Schoen and the entire ACD.net team for allowing us the privilege of being here tonight.

I am proud to introduce Lansing's First Lady, the love of my life, Teri Bernero, and our daughters, Virginia and Kelly. Thank you for being with me tonight — and always.

And I want to welcome the newest member of the Lansing City Council, Derrick Quinney, who was appointed earlier tonight to the seat formerly held by our new State Representative, Joan Bauer. Derrick and Joan, congratulations on your new positions.

I look forward to working with both of you, and with all of my Council colleagues, in the years ahead. Will you all please stand and be recognized.

One year ago, in my first State of the City Address, I called on the people of Lansing to believe in our City, to join me in helping Lansing become one of the great Midwestern capital cities.

Tonight I am pleased to report that we've made significant progress in this quest. The state of our City is good — and gaining momentum.

Lansing is on the move!

The progress we've made in one year would have been impossible without an all-star team. Will the members of my Staff, Cabinet and city employees who are here tonight please stand and be recognized.

There can be no doubt that Lansing is on the move. The evidence is clear:

The U.S. Department of Labor recently reported that only one metropolitan area in the entire state posted job gains last year.

It wasn't Ann Arbor. It wasn't Grand Rapids.

It was Lansing, Michigan.

Our unemployment rate remains well below the state average and both job creation and private investment are up — way up.

In the last 12 months, under the able direction of Bob Trezise — our own Wizard of Jobs — Lansing posted a 300% increase in new investment and job creation. In my first year as Mayor, investment increased from \$50 million to more than \$220 million, and from 500 new jobs to more than 2,000 new jobs.

We accomplished a great deal together in 2006, but we still face significant challenges.

When it comes to tackling the City's structural budget deficit, we can't seem to shake old habits. For the last 4 years, Lansing has spent more than we've taken in. Year after year, instead of making the hard choices, we've drained our financial reserves to a dangerously low level.

Further raids on our rainy day funds would be irresponsible and wrong. To avoid much deeper financial trouble, we must put an end to this practice now.

The bottom line: We must leave the false promise of quick fixes and easy answers to those with low expectations for our city's future. Together we must sharpen our pencils, prioritize programs and tighten our belts.

Despite our budget challenges, Lansing is making positive progress and gaining momentum every day.

The revitalization of our downtown is nothing short of amazing. Old office buildings are being transformed into new lofts and apartments that fill up as soon as they are completed — proof positive that the downtown housing market is ripe for new growth.

Washington Square is filled night and day with people discovering the new energy and excitement in the heart of our city. New businesses are opening their doors to tap into a growing customer base of new downtown residents, visitors and thousands of Cooley Law students. For the first time in years, downtown Lansing is "alive after 5."

Our new "Entertainment Express" trolley has connected downtown Lansing and East Lansing, shortening the distance between the two greatest economic engines of mid-Michigan: the State Capitol and MSU. Special thanks to East Lansing Mayor Sam Singh, Sandy Dragoo, Lee Hladki, and Eric "The Conductor" Hart for helping to get the trolley rolling.

The gateway to our State Capitol, Michigan Avenue, is poised to become "Michigan's Avenue." The rebirth of our principal corridor began a decade ago under the leadership and vision of Mayor David Hollister, who built Oldsmobile Park and sparked a new wave of positive development.

Mayor Hollister is here with us tonight. David, thank you for your contributions to our City.

Today, a new wave of revitalization is upon us. Directly across from the ballpark, construction is underway on a new cornerstone development. The Stadium District — comprising an entire city block — promises to enhance downtown offerings for residents and visitors alike.

Our City is attracting a new generation of entrepreneurs — young, ambitious visionaries who believe in Lansing's tremendous potential. Trailblazing investors like Harry Hepler, Kris and Sean Elliott, Richard Karp, Pat Gillespie, Gene Townsend and others are helping to make downtown Lansing, Michigan's downtown.

In the year ahead we will continue to pursue new developments that promise to transform the landscape of downtown Lansing, including a

new Performing Arts Center and redevelopment of the Ottawa Power Station on our riverfront.

And I am pleased to announce tonight a new partnership between two of the most important assets in our downtown — the Capital Area District Library and the Impression 5 Science Museum.

Our shared vision is to combine these two institutions by building a brand new, world-class library and children's museum in the heart of our downtown. This state-of-the-art facility will help ensure that Michigan families will visit downtown Lansing again and again, long after the State Capitol school tours end.

We are changing the face of downtown Lansing. Our downtown is becoming the hub of the wheel instead of the hole in the donut. If you haven't been to downtown Lansing lately, you haven't been to downtown Lansing at all.

Let no one doubt: Lansing is on the move!

A great city not only has a great downtown, it has great neighborhoods, safe and clean, with a variety of quality housing options.

As promised, we've launched a major drive to clean up the aging stock of red-tagged houses that accumulated over many years. Our new Neighborhood Enhancement Action Team, or NEAT, is cracking down on absentee landlords who refuse to bring their properties up to code.

Two absentee landlords were even sent to jail for failing to comply with court-ordered improvements to their properties. With the assistance of City Attorney Brigham Smith, NEAT is turning up the heat on landlords who allow their properties to diminish our neighborhoods.

In partnership with the Lansing Housing Commission, we will soon develop Lansing's newest neighborhood on the former School for the Blind campus. A mix of affordable senior housing and market-rate, owner-occupied homes, the redevelopment of this beautiful property will uplift the surrounding area and help young families realize the American dream of home ownership.

Last year we launched a new Community Policing Initiative, assigning a full-time Community Resource Officer to each of our four public high schools. Already the program is paying huge dividends by helping to create a positive environment for learning in our schools.

Last week I announced our next step forward with the assignment of four new Community Police Officers to specific neighborhoods across our city. The streets of Lansing belong to our citizens and I am absolutely committed to keeping it that way.

While we rev up Lansing's downtown and improve the quality of life in our neighborhoods, we must also look beyond the borders of our city and adopt a regional perspective.

Tonight I want to say thank you to the voters of Ingham County for voting overwhelmingly to approve the new regional millage supporting Potter Park Zoo. Securing the future of this crown jewel of our park system was an historic moment, and a major step forward in thinking and acting as one region.

The County Board of Commissioners and our City Council are to be commended for acting promptly to put this question before the voters. In particular, I want to recognize the courageous and tenacious leadership of Commissioner Victor Celentino and Zoo Task Force Chairperson Rebecca Bahar-Cook. Will all of the county commissioners who are with us tonight please rise and be recognized. Thank you for your bold leadership.

Two weeks ago we announced another major LEAP forward in regional cooperation, the Lansing Economic Area Partnership. For the first time, LEAP brings together the leaders of business, industry and regional governments to chart a new path to prosperity. Rather than competing against one another for jobs and economic growth, regional leaders are working together as never before to leverage our assets, to plan together and to create the prosperity we all seek.

The private sector leaders of this new initiative are Accident Fund CEO Elizabeth Haar, Joe Reid of Capital Bancorp, Steve Alexander of National City Bank and Jack Davis of the Loomis Law Firm.

Our regional partners in LEAP include Mayor Sam Singh of East Lansing and Supervisor Joe Drolett of Delta Township. Jack Davis and Supervisor Drolett are here with us tonight. Will you please rise and be recognized.

While we work together to grow the Lansing region, it is a moral and financial imperative that we transform our community into a model of energy efficiency and environmental responsibility. We cannot and will not fail our children and grandchildren, who may rightfully ask: what did we do to protect their air, their water and their future.

Therefore we will act — as Lansing has never acted before — to become a leader in energy conservation and environmental protection.

Later this week, I will join hundreds of mayors from across the nation in signing the U.S. Mayor's Climate Protection Agreement, committing our City to significant reductions in greenhouse gas emissions that contribute to global warming.

In addition, we will become the second city in the nation to accept the U.S. Environmental Protection Agency's Energy Star Challenge. You may recognize this logo — it appears on many new appliances and home electronics.

The Energy Star Challenge calls for a 10% improvement in the energy efficiency of city-owned buildings. Tonight, I call upon all Lansing residents and businesses to join city government in meeting this Challenge.

I will sign an Executive Order that requires city government to adopt new energy standards and practices to improve our environment at the same time we save money.

Under this order we will adopt an aggressive Renewable Portfolio Standard, or RPS, that requires city government to use renewable energy for 10% of our total consumption by 2010 and 20% by 2020.

We will switch our City's standard diesel fuel to B20 biodiesel, a cleaner fuel that will improve vehicle emissions and reduce maintenance costs.

We will adopt a new vehicle procurement policy that requires the City fleet to be powered by alternative energy. As we retire aging City vehicles, they will be replaced whenever possible with the latest generation of hybrid and E85 flex-fuel vehicles.

Tonight, please join me in welcoming the newest member of Lansing's green fleet — our first-ever electric utility vehicle.

As we retool for a new era of sustainable energy, we are also retooling the very foundation of our local economy.

We are fortunate to have a solid manufacturing base that is still growing. Demmer Corporation is adding 300 manufacturing jobs and our Tool and Die industry recently won a new Renaissance Zone designation from the Michigan Strategic Fund.

Lansing remains a global leader in the automobile industry, thanks to

GM's rock-solid commitment to our region. I am the product of a GM-UAW family, and I'm proud to say that Lansing is still a GM town.

Sensational new GM products were a smash hit at the International Auto Show earlier this month. GM swept the Car and Truck of the Year awards and unveiled the Chevy Volt electric hybrid — a thrilling preview of GM's future.

The best of the new GM vehicles — the cream of the crop — are the Lansing-built cars, including the new Cadillac CTS, Saturn Outlook, Buick Enclave and GMC Acadia.

Tonight we are joined by some of the people who build these incredible new vehicles. Please welcome Grand River Assistant Plant Manager Betty Romsek, Lansing Delta Township Assistant Plant Manager Geoff Weller, UAW Local Presidents Tiny Sherwood and Doug Rademacher, and some of Lansing's finest automotive workers. Ladies and gentlemen, will you please stand and be recognized for helping to put Lansing on the map.

With such great products, built by such talented people, we can compete anywhere in the world!

Even as we celebrate our manufacturing prowess, we must strive to diversify our economy to create an even stronger foundation for future prosperity.

In the past year, we have retained and attracted numerous companies that are on the cutting edge of the new economy, creating high-wage jobs, strengthening our tax base and forging a new identity for Lansing as a high-tech powerhouse.

ACD.net, our host tonight, has created mid-Michigan's largest data center for secure storage of vital information for some of Michigan's largest companies, right here in Lansing.

Emergent Biosolutions is investing \$70 million and creating hundreds of new jobs, right here in Lansing.

Under the leadership of CEO Jim Herbert, Neogen is transforming old school buildings into powerful engines of job creation and neighborhood revitalization, right here in Lansing.

Niowave — it sounds like the name of a rollercoaster at Cedar Point. In fact it is one of the most technologically sophisticated companies in America today, building components for atomic particle accelerators, right here in Lansing.

And the list goes on. Arialink. IDV Solutions. Spartan Internet. AquaBioChip. Lectronix. Dewpoint.

The CEOs of many of these cutting edge companies are with us tonight and I ask them to please rise and be recognized. These are the folks who are sending the message far and wide: Lansing is on the move!

The jobs of the future require our workforce to be better educated than ever before. In this high-tech economy, jobs and companies will go where the talent is. We must maintain the best-trained workforce in the country and we must teach our children the critical skills and knowledge that are required to be a contender in the emerging information economy.

That's why I am launching the new Business-Education Science Technology Initiative. The BEST Initiative will help ensure training for our workers and prepare our students for the demands of tomorrow's workplace.

BEST will be a partnership of our leading educational institutions and the leaders of our new technology economy. I want to thank our

partners at MSU, LCC, the Lansing School District, Michigan Works! and the Lansing technology community for agreeing to help me implement the BEST Initiative.

BEST will be co-chaired by Dr. Judith Cardenas, President of Lansing Community College, Dr. Hiram Fitzgerald, Associate Provost at MSU, and Andy Kotarba, President and CEO of Dewpoint. Will you please rise and be recognized.

When it comes to partnerships, there has been no better partner than Dr. Sharon Banks, who will retire this year as Superintendent of Lansing Schools. Dr. Banks, will you please join me at the podium.

Dr. Banks, you leave a legacy of leadership and accomplishment that will be long remembered. When you arrived in Lansing, 15 elementary schools were not making AYP — Annual Yearly Progress. Under your leadership, all 15 are now making AYP and your magnet schools and International Baccalaureate program have earned national attention. Sharon, thank you for believing in Lansing.

I am also proud to introduce Lansing's next Superintendent, Dr. T.C. Wallace, who begins his new position this summer. Dr. Wallace, will you please join me at the podium. I'm very impressed with your experience and commitment. And I'm confident that we will forge an excellent working relationship to help our schools and our city move forward together.

As we prepare our children for the challenges ahead, we must also become a community that retains the talented young people who graduate from our excellent institutions of higher learning. For them, a vibrant, exciting city is their preferred destination, after graduation.

Nowhere is our promise as a cool city more evident than in Old Town, the home of JazzFest, Bluesfest and Festival of the Sun. Old Town is also home to a creative class of artists and entrepreneurs who have transformed Lansing's original downtown into the cultural capital of mid-Michigan. I encourage you to venture to Old Town and find out why we call it the "capital of cool."

We have a lot to be proud of here in Lansing. We are an incredibly diverse community filled with amazingly talented people and I am more committed than ever to a city government that reflects that rich diversity.

I am proud tonight to say that our City Council and my Administration worked together to approve a new Human Rights Ordinance that protects the fundamental rights guaranteed to all of our citizens. I want to commend Councilmember Kathie Dunbar in particular for her leadership in getting the new ordinance on the books.

I started my Administration one year ago with a simple affirmation: I believe in Lansing.

Today, I believe in Lansing more than ever. I believe in our neighborhood activists. I believe in our business leaders. I believe in our regional officials. I believe in our Governor and, most of all, I believe in you.

The state of our city is linked directly to the state of you. We live in an age of personal empowerment. So much so that Time magazine's 2006 Person of the Year was you — each of you. The individual in today's society has more information and power at his and her fingertips than at any time in our history.

How will you use your power?

Lansing cannot reach its full potential unless each of our citizens reaches his or her own potential. Our success as a community is directly linked to the success of our brothers and sisters among us. We are stronger together. We sink or swim together.

But the real power — the real choice — is in your hands.

To achieve the greatness that I know resides in our community, each of us must choose to embrace change, rather than fear it. Each of us must choose to accept a certain measure of risk, rather than run from it. And each of us must choose to take a leap of faith, to believe that we can be better than we are today.

In his revolutionary book, *Good to Great*, Jim Collins describes how good can actually become the enemy of great, because good is always safe and acceptable.

Let me be clear — "good" is not good enough for the City of Lansing.

Together, we will move this City from good to great. We will become one of the great Midwestern capital cities.

My friends and colleagues — Lansing is on the move. Momentum is on our side.

And nothing can stop us now.

Thank you, good night and God bless you.

ADJOURNED TIME 7:30 P.M.

CHRIS SWOPE, CITY CLERK



**OFFICIAL PROCEEDINGS OF
THE CITY COUNCIL
CITY OF LANSING
PROCEEDINGS OF FEBRUARY 5, 2007**

City Council Chambers
Lansing, Michigan

The City Council of the City of Lansing met in regular session and was called to order at 7:00 p.m. by President Leeman.

PRESENT: Councilmembers Allen, Jeffries, Kaltenbach,
Leeman, Quinney and Wood

ABSENT: Councilmembers Dunbar (arrived at 7:23 p.m.) and Williams

Meditation and Pledge of Allegiance led by President Leeman

APPROVAL OF MINUTES

By Councilmember Jeffries

To approve the printed Council Proceedings of January 29, 2007 and Corrected Proceedings of January 22, 2007

Motion carried

CONSIDERATION OF LATE ITEMS

By Vice President Jeffries

To suspend City Council Rule #11 to allow for Consideration of Late Items

Motion carried

The following items were added to the agenda:

1. From Councilmember Wood; a resolution for a Transfer of Funds; General Fund Transfer to Refuse Fund, Contribution to Refuse Fund Balance

TABLED ITEMS

SPECIAL CEREMONIES

- Special Ceremonies

Proclamation; Mayor's Hometown Hero Award

Mayor Bernero said that it is an honor to present this award to Rick Kibbey for his work with the AmeriCorps*VISTA Program for the past five years and for all of the work that he has done with the communities and the Lansing citizens.

Rick Kibbey thanked the Mayor for this honor. He said that he has had a lot of fun working with the program and the people there. He said that he will still continue his work in the communities. He said that he has worked with a lot of wonderful people over the years and he will miss everyone.

Mayor Bernero presented Rick with a Proclamation declaring February 9, 2007 as Rick Kibbey day in the City of Lansing.

President Leeman thanked Rick for everything that he has done for the City and its residents.

**COUNCILMEMBERS' COMMENTS
AND CITY CLERK'S ANNOUNCEMENTS:**

Councilmember Quinney announced that February is Black History month and there are a lot of scheduled events going on around the City. He said that MSU will be hosting an event on Thursday, February 8 at the Kellogg Center and that begins at 5:00 p.m. He said that both UAW Local 602 and 652 will be hosting events at their halls. UAW 602's event will be on Sunday, February 18 at 3:00 p.m. and 652's event will be on Sunday, February 25 at 3:00. He thanked the Council staff members for their assistance in helping him get up to speed with everything and helping to get him settled into his new home.

Councilmember Kaltenbach thanked the Mayor and his staff for their assistance with getting the 2 hour parking signs up along Ionia Street. He said that it seems to have helped make life a little easier over there.

Councilmember Allen announced that on Wednesday at 6:30 p.m. at the South Precinct there will be a meeting regarding the Speedway expansion on S. Cedar St. On Sunday, February 18 at 3:00 p.m. at the MSU Auditorium the Lansing Symphony Orchestra will be performing, celebrating Mardi Gras with the sounds of New Orleans. The First Tee Program at Sycamore Park will begin in the spring. She said there is still work to be done, but it will be ready to open in the spring.

Councilmember Wood announced on Wednesday the Eastside Neighborhood Organization will be holding their monthly meeting at Foster Community Center in the Social Room at 7:00 p.m. The Micro Enterprise fund will be having their annual silent auction on Thursday at 6:00 p.m. at the Cadillac Club.

SPEAKER REGISTRATION FOR PUBLIC COMMENT

(Clerk Swope announced that the public comment registration form(s) for those intending to address Council on legislative or City government matters will be collected and that only those persons who have fully completed the form(s) will be permitted to speak.)

Councilmember Dunbar arrived at the City Council Meeting

MAYOR'S COMMENTS

Mayor Bernero spoke about the new partnership for the North Network Center. He said that he feels this is going to be a much better location for the Center and is excited about the new venture for the Center. He spoke about the Homeless and the arctic temperatures that we have been having. He spoke about how some local business have stepped up to the plate and started some warming shelters for the homeless during these extremely cold days that are upon us. He thanked all of the organizations that have assisted with helping the homeless out. He spoke about the "Got Chess?" program for Lansing kids. He spoke about a chess championship tournament that was held at MSU and congratulated the kids from Fairview School for a job well done on winning the championship tournament. He spoke in support of the NEZ requests for the Riverbend project. He spoke about the project to reopen the 200 and 300 blocks of N. Washington Sq. for vehicle traffic and a \$260,000 grant from the Michigan Department of Transportation for rain gardens as part of the project. He spoke about the City's budget report that was submitted to Council and clarified that the fact that revenues running ahead of expenditures is simply a timing issue. He explained that most

revenue is received in the first half of the Fiscal Year, but that expenditures occur throughout the year. He said that we are still facing a budget shortfall in the next Fiscal Year.

President Leeman recognized State Representative Joan Bauer for an update of legislative activities.

Representative Bauer, 68th House District, said that next Tuesday she will be hosting a forum on the State's budget from 7:00 p.m. to 9:00 p.m. at the Lansing Center in the Governors Room. She invited everyone to attend. She said that she thought that the Mayor's State of the City address was just wonderful. She congratulated Councilmember Derrick Quinney on his appointment to the Council. She spoke about the State of the State address that is scheduled for Tuesday evening.

SHOW CAUSE HEARINGS

• Comment on Scheduled Show Cause Hearings:

There were no Scheduled Show Cause Hearings

PUBLIC COMMENT ON LEGISLATIVE MATTERS

• Public Comment on Legislative Matters:

Legislative Matters included the following public hearings:

1. In consideration of Brownfield Redevelopment Plan #30, former Dard Building Property located at 1213 Center St. filed by Brownfield Development Specialist LLC
2. In consideration of Z-16-2006; 200 Block of E. Grand River Ave., Petition for rezoning from "F-1" Commercial to "G-1" Business District filed by Richard Karp for the purpose of constructing a new building containing a mix of commercial and residential uses

Councilmember Jeffries gave a brief overview of both public hearings.

Jamie Schriner-Hooper of 1232 Turner spoke in support of the Brownfield project. She also spoke in support of the rezoning request.

John Pollard of 1718 Blair spoke about concerns that he has with the Brownfield project.

Darnell E. Oldham Sr of 3815 Berwick Dr spoke about concerns that he has with the negotiation skills of the City when it comes to the tax abatements

PUBLIC COMMENT ON CITY GOVERNMENT RELATED MATTERS:

Stan Shuck of 818 Cooper spoke about concerns that he has with the lease for the Zoo not being given to Council like it should. He also spoke about the upcoming budget process.

Lawrence Green of 1825 Sunset spoke about the recent reports of the number of Homeless people in Lansing. He also spoke about the issues with the Lansing School District teachers contract.

Evelyn Trotter of 1914 Thompson spoke about the North Network Center being moved to the new location.

Walter Brown of 1310 Knollwood spoke about alleged Labor Law violations pertaining to the North Network Center.

Jeff Turner of 510 W. Willow spoke in support of the Teen Challenge

SLU request.

John Pollard of 1718 Blair spoke about alleged Charter Violations. He also spoke about the Mayor's State of the City Address.

Clara Wahl of 2822 Fielding spoke about how she wants to learn more about what is taking place in Lansing. She said that she will be attending more Council meetings to get up to date on what is happening.

Frank S. Curtis X of 1137 West Allegan spoke about the passing of Grady Porter. He also spoke about February being Black History Month.

Darnell E. Oldham Sr of 3815 Berwick Dr spoke about how the side streets are not being properly salted or plowed.

Richard Clement of 1719 Victor congratulated Mr. Quinney on his appointment to City Council. He also spoke about the Mayor's State of the City Address.

LEGISLATIVE MATTERS

REFERRAL OF PUBLIC HEARINGS

1. In consideration of Brownfield Redevelopment Plan #30, former Dard Building Property located at 1213 Center St. filed by Brownfield Development Specialist LLC

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

2. In consideration of Z-16-2006; 200 Block of E. Grand River Ave., Petition for rezoning from "F-1" Commercial to "G-1" Business District filed by Richard Karp for the purpose of constructing a new building containing a mix of commercial and residential uses

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

RESOLUTIONS

RESOLUTION # 024

BY THE COMMITTEE OF THE WHOLE
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, pursuant to the Lansing City Charter and Chapter 280 of the Lansing Code of Ordinances, the Council shall designate in advance the first meeting of the Elected Officers Compensation Commission in odd-numbered years; and

WHEREAS, Chapter 280 of the Lansing Code of Ordinances requires the Elected Officers Compensation Commission to make its determination within forty-five days after its first meeting; and

WHEREAS, Chapter 280 of the Lansing Code of Ordinances requires the Elected Officers Compensation Commission to meet on no more than 15 session days;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby calls upon the Elected Officers Compensation Commission to meet and conduct its business in 2007 and designates Tuesday, February 13, 2007 at 5:00 p.m. in the City Council Conference Room on the 10th floor of City Hall as the first meeting of the Commission.

BE IT FURTHER RESOLVED the Senior Legislative Assistant to the Council shall serve as the recording secretary to the Commission unless the Commission determines otherwise.

BE IT FINALLY RESOLVED the City Clerk shall notify the members of the Commission in writing concerning the designated date, time, and place of the first meeting at least seven calendar days in advance thereof.

By Councilmember Jeffries

Motion Carried (Councilmember Jeffries dissenting)

REPORTS FROM COUNCIL COMMITTEES

There were no Committee Reports

ORDINANCES FOR INTRODUCTION

There were no Ordinances for Introduction

ORDINANCES FOR PASSAGE

There were no Ordinances for Passage

REPORTS FROM CITY OFFICERS, BOARDS, AND COMMISSIONS; COMMUNICATIONS AND PETITIONS; AND OTHER CITY RELATED MATTERS

By Councilmember Jeffries that all items be considered as being read in full and that President Leeman make the appropriate referrals

Motion Carried

- Reports from City Officers, Board and Commissions:
 - a. Letter from the City Clerk submitting minutes of Board of Authorities placed on file in the City Clerk's Office.

RECEIVED AND PLACED ON FILE

- b. Letters from the Lansing Economic Development Corporation providing notice to taxpayers of:
 - A Public Hearing to be held on February 12, 2007 in consideration of Neighborhood Enterprise Zone #21 for the Riverbend/Whitehall property
 - Public Hearing to be held on February 19, 2007 in consideration of IDD-01-07; 905 & 830 River St. and 300 & 312 Spring St. for S & S Die Company

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

- c. Letters from the Mayor re:
 - i. FY 2007 2nd Quarter General Fund Status Report

REFERRED TO WAYS & MEANS AND INTERNAL AUDIT

- ii. Applications for Neighborhood Enterprise Zone Certificates filed by Scott Gillespie on behalf of 329-337 S. Washington, L.L.C. for rehabilitation of nine rental units located at:
 - 333 S. Washington Sq. - 6 Units
 - 331 S. Washington Sq. - 1.5 Units

- 329 S. Washington Sq. - 1.5 Units

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

- iii. Applications for Neighborhood Enterprise Zone
 - Certificates filed by Wenco, L.L.C. for property located at 212 & 214 S. Washington Ave.

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

- *Resolution for Transfer of Funds; General Fund Transfer to Refuse Fund, Contributions to Refuse Fund Balance

SUSPENSION ITEM - REFERRED TO THE COMMITTEE ON WAYS AND MEANS

- Communications and Petitions, and Other City Related Matters:
 - a. Letter from Nancy Colbert of 1819 Stirling Ave. regarding traffic concerns at the intersections of Moores River Dr., Sparrow, and Beal Ave. (The roundabout)

REFERRED TO TRANSPORTATION AND REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

- b. Letters from the State of Michigan Department of Treasury providing notice of the issuance of Neighborhood Enterprise Zone Certificates for property located at:

- 1321 Turner Street
- 641 S. Grand River Ave., Unit
- 3542 Baker St.

REFERRED TO PLANNING AND NEIGHBORHOOD DEVELOPMENT

MOTION OF EXCUSED ABSENCE

By Councilmember Wood

To Excuse Councilmember Williams from tonight's proceedings

Motion Carried

REMARKS BY COUNCILMEMBERS

REMARKS BY THE MAYOR OR EXECUTIVE ASSISTANT

Jerry Ambrose, Executive Assistant to the Mayor, spoke about the Hollister Building OPRA request. He said that the State has approved the OPRA credits for only two of the floors of the Building, as the City had requested, and we can thank Jack Roberts in the City Attorney's Office for his hard work on the matter.

By Councilmember Jeffries

To return to late items and suspend City Council Rule #11 to allow for consideration of a late items

Motion Carried

CONSIDERATION OF LATE ITEMS

From Councilmember Jeffries; a letter from John Pollard,

President of the Fair Share Coalition of 1718 Blair St, regarding
alleged Charter violations

REFERRED TOTHE CITY ATTORNEY

Discussion was held regarding the process of handling correspondence
that is submitted during City Council Meetings.

President Leeman spoke about the current weather conditions. He
asked the residents to stay inside if at all possible but if you must go out
to please bundle up and be careful on the roads.

ADJOURNED TIME 8:24 P.M.

CHRIS SWOPE, CITY CLERK



**OFFICIAL PROCEEDINGS OF
THE CITY COUNCIL
CITY OF LANSING
PROCEEDINGS OF FEBRUARY 12, 2007**

City Council Chambers
Lansing, Michigan

The City Council of the City of Lansing met in regular session and was called to order at 7:00 p.m. by President Leeman.

PRESENT: Councilmembers Dunbar, Jeffries, Kaltenbach, Leeman, Quinney, Wood

ABSENT: Councilmembers Allen and Williams (Councilmember Williams arrived at 7:09 p.m.)

Meditation and Pledge of Allegiance led by President Leeman

APPROVAL OF MINUTES

By Councilmember Jeffries

To approve the printed Council Proceedings of February 5, 2007

Motion carried

CONSIDERATION OF LATE ITEMS

By Vice President Jeffries

To suspend City Council Rule #11 to allow for Consideration of Late Items

Motion carried

The following items were added to the agenda:

1. From Councilmember Jeffries: Letter from the Mayor submitting the appointment of Cynthia L. Bowen to the Lansing Entertainment & Public Facilities Authority (LEPFA) Board for a Term to Expire June 30, 2007
2. From Councilmember Kaltenbach: Letter from the Mayor submitting the appointment of William B. Castainer to the Elected Officers Compensation Commission for a Term to Expire October 1, 2007
3. From Councilmember Quinney: Letter from the submitting the appointment of Edward Benson to the Lansing Employee Retirement Board of Trustees for a Term to Expire June 30, 2008

TABLED ITEMS

SPECIAL CEREMONIES

• Special Ceremonies

Councilmember Williams arrived at the meeting

1. Proclamation; Honoring Bruce Bragg on his retirement as the Director of the Ingham County Health Department

THIS SPECIAL CEREMONY WAS PULLED FROM THE AGENDA

2. Presentation; Recognition of City of Lansing Retirees

Councilmember Wood said it is an honor to present these former City Employees with a certificate of thanks for all of the years of service to the residents of the City of Lansing. She thanked aid William Karnes who was with the City for 28 years and 5 months and Robert Labioda who also served the City for 28 years and 5 months. She said neither of them were able to be here but we will make sure that they receive their certificates.

THE NEXT TWO FOLLOWING SPECIAL CEREMONIES WERE PRESENTED TOGETHER

3. Presentation; Recognition of Cheryl Ronk's 25th Year as a City of Lansing Ice Skating Instructor

4. Presentation; Recognition of Emily Stevens, Recipient of the New Professional Award from the Michigan Recreation and Park Association (MRPA)

Brett Kaschinske said it is an honor to present this certificate to Cheryl. He said Cheryl came up with the idea to teach local kids how to ice skate. He said Cheryl has done so much for the kids from the area. He thanked Cheryl for all her years of service to the kids.

Cheryl Ronk said thank you to everyone for this certificate. She said that she has been blessed with serving the Lansing Citizens and that she has helped over 4,000 kids learn to ice skate. She said that she has enjoyed it very much and will miss everyone. She said that Washington Park is a top of line Skate Park.

Brett Kaschinske said that Emily Stevens is another employee who works with area kids at the Park. He said that Emily has received an award from the Michigan Recreation and Parks Association for the work that she does with the kids.

Emily Stevens thanked Brett for recognizing her. She said that she loves Lansing and all of the kids that live in it. She said that Lansing has the best to offer to everyone.

Jerry Ambrose, Executive Assistant to the Mayor, said thank you to both Cheryl and Emily for the work that they do or have done in years past.

Councilmember Dunbar thanked Cheryl and Emily for all their work. She said that her kids have worked with both Cheryl and Emily and they are just great people to have working for the City of Lansing.

Murdock Jemerson, Director of Parks and Recreation Department said that it has been an honor to work with Cheryl and Emily. He said that Cheryl will be missed very much by both the staff and the kids. He wished Cheryl good luck in the future.

**COUNCILMEMBERS' COMMENTS
AND CITY CLERK'S ANNOUNCEMENTS:**

Councilmember Kaltenbach congratulated Emily and said that she lives in his Ward and that is wonderful to have her there.

Councilmember Dunbar announced that Haag Road will be having some reconstruction work done on it this summer. She said there will be an informational meeting on it on Thursday, February 22 at 7:00 p.m.

Councilmember Wood announced that tomorrow is State Representative Bauer's Budget Town Hall Meeting from 7:00 p.m. to

9:00 p.m. at the Lansing Center in the Governor's Room. The Citizens Academy will begin in March and will be every Tuesday evening from March 13 through May 27 from 6:00 p.m. to 9:00 p.m. for more information contact Lt. David Nosotti at 483-4804. Everybody Reads is having a Baseball extravaganza on February 21 from 5:00 p.m. to 9:00 p.m. Mt. Calvary Baptist Church will be having an event called "Blessed the Kingdom Tour" that will be on February 18 at 5:00 p.m.

Councilmember Williams announced that the Lewton/Rich Neighborhood Association will be meeting on Thursday at 7:00 p.m. at Dwight Rich Middle School.

Councilmember Quinney announced that the Park Michigan Historical Museum will be hosting an event to celebrate Black History month on Thursday, February 22 at 7:00 p.m. at the Forum Auditorium and tickets are \$15.00. On February 18 Local UAW602 will be hosting an event at 3:00 to celebrate Black History Month and Local UAW 652 will be hosting an event on February 25 at 3:00 p.m. for Black History Month.

Councilmember Dunbar announced that on Friday at 8:00 p.m. at Creole Gallery there will be the encore performance of "She Laughs." She said that the owner of Gone Wired Café, Colleen Davis, has opened up a kitchen in the Café. She said that some of you may know that over the holidays Colleen and her family had a fire at their home and it was damaged quite badly. Colleen is hosting a thank you party at Gone Wired to say thank you to the community for all the support they gave during her time of need.

City Clerk Swope said that even though next Monday is Presidents Day, it is not a City Holiday, so there will be a regular City Council meeting at 7:00 p.m.

SPEAKER REGISTRATION FOR PUBLIC COMMENT

(Clerk Swope announced that the public comment registration form(s) for those intending to address Council on legislative or City government matters will be collected and that only those persons who have fully completed the form(s) will be permitted to speak.)

MAYOR'S COMMENTS

Jerry Ambrose, Executive Assistant to the Mayor Bernero, stated that property taxes are due by February 14. He spoke about the launch of Mayor Bernero's "Go Green, Go Lansing" energy initiative. He spoke about the Mayor's Executive Order 2007-01. He spoke about the partnership with the City, Board of Water and Light and Michigan State University regarding Energy Conservation.

SHOW CAUSE HEARINGS

- Comment on Scheduled Show Cause Hearings:

PUBLIC COMMENT ON LEGISLATIVE MATTERS

- Public Comment on Legislative Matters:

Legislative Matters included the following public hearings:

1. In consideration of Neighborhood Enterprise Zone District #21 for the Riverbend/Whitehall property bounded by Main St. to the north, the Grand River to the south, Washington Ave. to the west and the east line of parcel 3301-0121-203-030 to the east

Councilmember Jeffries gave a brief overview of the NEZ request.

Stan Shuck of 818 Cooper spoke in support of the transfer of funds request that is on the Agenda tonight.

Lawrence Green of 1825 Sunset spoke about concerns that he has with the Deluxe Inn.

Christine Timmon of 2519 Washington spoke about how there should be a requirement of a 10 percent deposit made on all tax break requests.

John Pollard of 1718 Blair spoke about concerns that he has with the NEZ request.

Darnell Oldham Sr. of 3815 Berwick Dr. spoke about concerns that he has with the NEZ request.

Brian Anderson of the Economic Development Corporation spoke in support of the NEZ request. He gave additional information about the request.

PUBLIC COMMENT

ON CITY GOVERNMENT RELATED MATTERS:

Stan Shuck of 818 Cooper spoke about the upcoming budget process.

Dale Dezess of 3331 Ingham St. spoke about concerns that he has with the lack of snow plowing on side streets. He also spoke about a lawn care business not being licensed but continuing to work in Lansing.

Steven Meno of 1613 Osband spoke about concerns that he has with the upcoming budget process. He also spoke about concerns that he has with the Lansing School District and the teachers union.

Lawrence Green of 1825 Sunset spoke about an event that will take place at Ford Field on February 17 at 2:00 p.m.

William Hubbell of 3916 Wedgewood Dr. spoke about the Memorial Review Board in need of appointments to the Board.

Christine Timmon of 2519 Washington spoke about concerns that she has with the Mayor and his Administration. She also spoke about some public access shows.

John Pollard of 1718 Blair spoke about concerns that he has with any tax break request that council approves. He also spoke about the new colored tag program that will be used to determine the safety of a home.

Darnell E. Oldham Sr. of 3815 Berwick Dr spoke about the change in red tag program.

Russell Terry of 121 E. Mt Hope spoke in support of not having stop signs placed on Washington Sq and Michigan Ave.

Belinda Fitzpatrick of 224 S. Holmes St spoke about the new colored tags to be used in the unsafe homes process.

Adam Pitcher of 1052 Parker St. spoke in opposition to Teen Challenge occupying the former Holmes Street School Building.

Ray Carter of 510 W. Willow spoke in support of Teen Challenge and the use of the former Holmes Street School Building.

Derek Marshall of 111 E. Grand River spoke in support of Teen Challenge.

LEGISLATIVE MATTERS

REFERRAL OF PUBLIC HEARINGS

1. In consideration of Neighborhood Enterprise Zone District #21 for the Riverbend/Whitehall property bounded by Main St. to the north, the Grand River to the south, Washington Ave. to the west and the east line of parcel 3301-0121-203-030 to the east

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

RESOLUTIONS

RESOLUTION #025

BY THE COMMITTEE ON WAYS AND MEANS
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the City's Refuse Fund ended the 2006 fiscal year with a \$90,769 deficit;

WHEREAS, the Finance Operations division has available salary and fringe benefit amounts due to vacancies experienced this year; and

WHEREAS, the City has received a letter on January 24 from the State requiring the deficit be addressed in the next thirty days;

WHEREAS, the Committee on Ways and Means met regarding this matter on February 6, 2007, and will be working with the Department on Public Service to answer various questions brought forth in the Committee.

NOW, THEREFORE, BE IT RESOLVED that the following FY 2007 transfers be approved:

AMOUNT TO TRANSFER	TRANSFER FROM ACCOUNT #	TRANSFER TO ACCOUNT #
\$70,770.00	Finance Operations Salaries 101.172710.702000.0	
\$20,000.00	Finance Operation Fringe Benefits 101.172710.715000.0	
\$90,770.00		General Fund Transfer to Refuse Fund 101.966000.991500.0
\$90,770.00	Transfer from the General Fund 596.000000.696101.0	
\$90,770.00		Contribution to Refuse Fund Balance 596.000000.679100.0

By Councilmember Wood

Motion Carried

RESOLUTION #026

BY THE COMMITTEE ON WAYS AND MEANS
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Michigan State Police (MSP) submitted a grant application to the Michigan Department of Community Health for a renewal Metro Conspiracy and Special Prosecution / Asset Seizure grant; and

WHEREAS, this renewal grant provides funds for key elements of the operation of the Ingham Eaton Clinton Co-Operative drug law enforcement unit (also known as the Tri-County Metro Narcotics unit); and

WHEREAS, the MSP (with the Lansing Police Department as grant fiduciary) has been awarded a \$323,500 federal grant with a local match of \$323,500, of which the amount \$50,394 is the City of Lansing's local match responsibility and which match amount was included in the Police

Department FY2007 budget adopted by City Council;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council approves acceptance of the FY2006-2007 Metro Conspiracy and Special Prosecution / Asset Seizure award for \$647,000 for the period October 1, 2006 to September 30, 2007; and

BE IT FINALLY RESOLVED, the Administration is authorized to receive the grant, create the necessary accounts, and make necessary transfers for administration in accordance with the requirements of the grantor.

By Councilmember Wood

Motion Carried

REPORTS FROM COUNCIL COMMITTEES

There were no Committee Reports

ORDINANCES FOR INTRODUCTION

There were no Ordinances for Introduction

ORDINANCES FOR PASSAGE

There were no Ordinances for Passage

REPORTS FROM CITY OFFICERS, BOARDS, AND COMMISSIONS; COMMUNICATIONS AND PETITIONS; AND OTHER CITY RELATED MATTERS

By Councilmember Jeffries that all items be considered as being read in full and that President Leeman make the appropriate referrals

Motion Carried

• Reports from City Officers, Board and Commissions:

- a. Letter from the City Clerk providing notice to Mark Schafer of M. Schafer Lawn/Snow Service of the Denial of a request to operate or own a Waste Hauler service license in the City of Lansing by the Public Service Department

RECEIVED AND PLACED ON FILE

- b. Letter from the City Clerk submitting minutes of Boards and Authorities placed on file in the City Clerk's Office

RECEIVED AND PLACED ON FILE

- c. Letter from the City Attorney re: Terry R. Blundell v Brian Whitsitt

RECEIVED AND PLACED ON FILE

- d. Letters from the Mayor re:

- i. Public Improvement I; Construction of new sidewalks and Repair and Reconstruction of existing sidewalks along the following streets;

- the west side of North Larch St. between Thomas St. and Douglas St.

- both sides of Douglas St. between Larch St. and Benjamin Dr.
- the south side of Miller Rd. between S. Pennsylvania Ave. and Beechfield Dr.

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES

- ii. Public Improvement I/II; Repair and Reconstruction of public sidewalks excepting all public streets and alleys and other land deemed not benefited in areas bounded by;

- Jolly Rd., Crocus Ave., Bluebell Dr. and S. Washington Ave.
- Jolly Rd., Ballard Rd., Ingham St. and Fielding Dr.
- Cavanaugh Rd., S. Pennsylvania Ave., Vernon Ave. and Parkway Blvd.

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES

- iii. Public Improvement I; Sidewalk, Curb and Gutter and necessary storm drainage improvements for Haag Rd. from Miller Rd. to Martin Luther King Jr. Blvd.

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES

- iv. Public Improvement II/III; Curb and Gutter and Necessary StormSewer for all lands fronting on Cavanaugh Rd. from Aurelius Rd. to Dunckel Rd. and also all lands fronting on Eastlawn Dr. from Cavanaugh Rd. to 500 ft. south of Cavanaugh Rd. P.S. #68050, excepting all public streets and alleys and other land deemed not benefited, and request for a Public Hearing

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES

- v. Public Improvement II/III; Storm Drainage Facilities for the CSO 013 North West project area to include Hylewood Ave, Frederick Ave., Fairfield Ave., Carrier St, Paulson St, Howe St., Felt St. and Northdale St., and request for a Public Hearing

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES

- vi. Grant Acceptance; Michigan Department of Transportation (MDOT) Enhancement Grant for streetscaping improvements along the 200 and 300 blocks of N. Washington Sq.

REFERRED TO THE COMMITTEE ON WAYS AND MEANS AND THE INTERNAL AUDITOR

- vii. Z-17 2006; Part of 715 W. Willow St., Planning Board recommendations re: a request filed by LHC Nonprofit Development Corporation for rezoning from "B" Residential to "DM-1" Residential District to allow for up to fifty (50) units of senior citizen housing (former Michigan School for the Blind property)

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

- viii. SLU-11-2006; 1030 S. Holmes St., Planning Board and the Mayor's recommendations regarding a request for a Special Land Use Permit filed by Lansing Teen Challenge to utilize the former Holmes Street School as a residential care facility

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

- ix. Sole Source; Public Service Waste Water Treatment Plant request for Commins & Bral for the purchase of Flexible Tube Replacement-North Plant Boiler Unit

REFERRED TO THE COMMITTEE ON WAYS AND MEANS AND THE INTERNAL AUDITOR

- x. Adjustments to the Planning Board Appointments:

- Transfer Jerry Hollister from At Large to a 4th Ward Term to Expire June 30, 2008
- Transfer Andrew Frederick from a 2nd Ward position to an At Large Term to Expire June 30, 2010

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

- xi. Appointment of Gregory L. Ward II to the Economic Development Authority, Tax Increment Finance Authority, and Lansing Brownfield Redevelopment Authority Baords for a Term to Expire February 28, 2010

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

- * Letter from the Mayor submitting the appointment of Cynthia L. Bowen to the Lansing Entertainment & Public Facilities Authority (LEPFA) Board for a Term to Expire June 30, 2007

SUSPENSION ITEM – REFERRED TO THE COMMITTEE ON PUBLIC SERVICES

- * Letter from the Mayor submitting the appointment of William B. Castainer to the Elected Officers Compensation Commission for a Term to Expire October 1, 2007

SUSPENSION ITEM – REFERRED TO THE COMMITTEE OF THE WHOLE

- * Letter from the submitting the appointment of Edward Benson to the Lansing Employee Retirement Board of Trustees for a Term to Expire June 30, 2008

SUSPENSION ITEM – REFERRED TO THE COMMITTEE ON WAYS AND MEANS AND THE INTERNAL AUDITOR

- Communications and Petitions, and Other City Related Matters:

- a. Michigan Tax Tribunal appeal filed by a real-estate broker on behalf of Cadillac Club Real Estate, L.L.C. for property located at 1121 S. Washington Ave.

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

- b. Notice from the State of Michigan Public Service Commission of a public hearing for the gas customers of Consumers Energy Company Case U-15041 to be held on February 21, 2007

RECEIVED AND PLACED ON FILE

- c. Letter from Ingham County Road Commission providing Notice of a Public Informational Meeting to be held March

1, 2007 regarding the 2007 Lake Lansing Road Construction Project

RECEIVED AND PLACED ON FILE

- d. Letter from Michael DeMartelaere, Assistant Vice President of Comerica Bank at 101 N. Washington Sq. in opposition to replacing the current four-way stop at the intersection of Washington Sq. and Michigan Ave. with a traffic circle

REFERRED TO THE TRAFFIC BOARD AND REFERRED TO TRANSPORTATION AND REFERRED TO THE COMMITTEE ON PUBLIC SAFETY AND REFERRED TO THE COMMITTEE ON PUBLIC SERVICES

- e. Letter from Comcast Cable providing notice of channel Lineup changes effective February 25, 2007

RECEIVED AND PLACED ON FILE

- f. Letter from John Pollard of 1718 Blair St. regarding issues with the right-of-way in front of his property due to the CSO project

REFERRED TO THE CITY ATTORNEY

- g. Letter from Jarrod Barron, Director of Ministry Development for Teen Challenge International, submitting a chronological list of events regarding his Special Land Use (SLU) request for the Holmes Street School property

REFERRED TO PLANNING AND NEIGHBORHOOD DEVELOPMENT AND REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

MOTION OF EXCUSED ABSENCE

By Councilmember Williams

To excuse councilmember Allen from tonight's proceedings

Motion Carried

REMARKS BY COUNCILMEMBERS

Jerry Ambrose, Executive Assistant to the Mayor Bernero, spoke about the new colored tag system. He said they are hoping that this new system will help to cut down on the number of red tagged homes in the City. He said that the Red tags will indicate that the home is unsafe; the Yellow tags will indicate that the home is substandard and the Green tags will mean that there are no utilities on at the home. He also spoke about comments that were made about the City's fringe benefits. He spoke about rumors that are going around about employees with less than 5 years of employment being in jeopardy of losing their jobs. He said that is by far not true. He said that any employee who has questions or concerns should call him.

REMARKS BY THE MAYOR OR EXECUTIVE ASSISTANT

ADJOURNED AT 8:51 P.M.

CHRIS SWOPE, CITY CLERK



**OFFICIAL PROCEEDINGS OF
THE CITY COUNCIL
CITY OF LANSING
PROCEEDINGS OF FEBRUARY 19, 2007**

City Council Chambers
Lansing, Michigan

The City Council of the City of Lansing met in regular session and was called to order at 7:00 p.m. by President Leeman.

PRESENT: Councilmembers Allen, Dunbar, Jeffries, Kaltenbach, Leeman, Quinney, Williams and Wood

ABSENT: None

Meditation and Pledge of Allegiance led by President Leeman

APPROVAL OF MINUTES

By Councilmember Williams

To approve the printed Council Proceedings of February 12, 2007 and the Corrected Proceedings of February 28, 2005

Motion carried

CONSIDERATION OF LATE ITEMS

By Vice President Jeffries

To suspend City Council Rule #11 to allow for Consideration of Late Items

Motion carried

There were no Late Items

Councilmember Jeffries asked that Agenda item #XIII B2f be pulled re: ACT-08-06; 200 and 222 N. Washington Square, Pedestrian Walkway to connect the Capitol Bancorp and Phoenix Buildings at the third floor

TABLED ITEMS

SPECIAL CEREMONIES

• Special Ceremonies

1. Presentation; Recognition of Fairview School Students for their 2007 State Elementary Chess Championship

Mayor Bernero said it is a privilege to join Councilmember Kaltenbach and President Leeman in honoring the students at Fairview Elementary for their Chess State Championship. He presented the students with a certificate. He said that these kids are the best and the brightest and that this is a great achievement. He congratulated Willy Williams for a great job coaching them.

President Leeman presented the students with a certificate of appreciation for a job well done and congratulated their coach Willy Williams on doing a great job with the kids.

Willy Williams thanked Mayor Bernero and the City Council for this honor. He said the program is called "Got Chess." He spoke about a tournament that will be taking place the week of March 26 between the Lansing Elementary Schools.

Dennis Louney who also worked with the Elementary Students said this

is a good program and it is all about the kids. He thanked Mayor Bernero, City Council and Lansing School District for their support of this program.

2. Presentation; Poem by Dee Freeman in celebration of Black History Month

Dee Freeman thanked the City Council for allowing her the time to read her poem. She recited a poem in celebration of Black History Month.

**COUNCILMEMBERS' COMMENTS
AND CITY CLERK'S ANNOUNCEMENTS:**

Councilmember Wood announced that on Wednesday, February 21 at 7:00 p.m. the Colonial Village Association will meet at Grace United Church. Foster Your Neighbors will meet at Foster Community Center in Room 213 at 7:00 p.m. on Wednesday, February 21. The Bea Christy Dinner is this Friday; for ticket information, please contact the Lansing Neighborhood Council at 372-6920.

Councilmember Kaltenbach announced that the Joint Committee on Housing that was scheduled to meet this Friday has been canceled and it has not yet been rescheduled.

Councilmember Allen announced that on February 22 the Greater Lansing Housing Coalition will have their 16th Annual Theater fundraiser at the BoarsHead Theater. Tickets are \$35.00 and can be purchased at the Housing Coalition or at the BoarsHead.

Councilmember Williams announced the Churchill Downs Community Association and the Wainwright Leadership Academy will be having a fundraiser at Wainwright beginning at 6:00 p.m., all proceeds will go to Angel House. For more information please call 325-6877. Churchill Downs Community Association is having its monthly meeting on Tuesday at 6:30 p.m. at Wainwright. He gave condolences to the family of Paul Armstrong who passed away this past weekend.

Councilmember Wood gave her condolences to the family of Daniel Anderson who passed away recently.

City Clerk Swope wished Mavis Kelley a Happy Birthday.

SPEAKER REGISTRATION FOR PUBLIC COMMENT

(Clerk Swope announced that the public comment registration form(s) for those intending to address Council on legislative or City government matters will be collected and that only those persons who have fully completed the form(s) will be permitted to speak.)

MAYOR'S COMMENTS

Mayor Bernero spoke about the software company, TechSmith, which has announced it will move to Lansing; he congratulated everyone who helped TechSmith with the decision. He spoke about a partnership between the Community Faith Based Initiative and Ingham Intermediate School District. He spoke about talks to move forward to establish a South Side Community Center to be located at the Hill Center. He spoke about the weekend shooting that took the life of a one year old Lansing boy. He said our hearts and prayers are with the family and that he will not take this shooting lying down; the guilty party will be found.

SHOW CAUSE HEARINGS* Comment on Scheduled Show Cause Hearings:

No Scheduled Show Cause Hearing

**PUBLIC COMMENT
ON LEGISLATIVE MATTERS*** Public Comment on Legislative Matters:

Legislative Matters included the following public hearings:

1. In consideration of IDD-01-07; 300 & 312 Spring St. and 830 & 905 River St., Petition for an Industrial Development District (IDD) filed by S & S Die Company
2. In consideration of Z-15-2006; 3631 S. Cedar Petition for rezoning from "C" Residential and "J" Parking to "F" Commercial District filed by Speedway SuperAmerica for the purpose of reconstructing a gasoline station

Councilmember Jeffries gave a brief overview of the two scheduled public hearings.

Jim Renshaw of 3933 Monitor Rd., Bay City, spoke in support of the rezoning request.

Ersin Bayraktar of 4924 S. Martin Luther King Jr., Blvd. spoke about concerns that he has with the rezoning request. He thanked Councilmembers for keeping the citizens involved this rezoning process to make it fit everyone's needs. He submitted a letter from Stanley Levandowski II.

Paul Martin of 539 S. Main St spoke in support of the rezoning request. He gave additional information about the request.

Gary Andrews of 560 Brookland Blvd spoke in support of the rezoning request.

Melissa Miller of 546 Julia spoke in support of the rezoning request made by Speedway.

Diana Hurst of 830 River St spoke in support of the IDD request filed by S & S Die.

Eric Rey of 15750 S. US 27 spoke in support of the rezoning request.

Kenneth Howe of 1801 Waverly spoke about concerns that he has with traffic issues on Hunter Blvd if the rezoning goes through.

John Pollard of 1718 Blair spoke about concerns that he has with the Public Improvement for sidewalks. He also spoke about concerns with the IDD request.

Brian Anderson of Economic Development Corporation gave additional information for the IDD request for S & S Die.

Darnell E. Oldham Sr of 3815 Berwick Dr submitted a newspaper article regarding tax abatements. He also spoke about concerns with the IDD request.

Marcus McKissic of 119 E. Elm St spoke in support of the IDD request filed by S & S Die Company.

Christine Timmon of 2519 Washington spoke about concerns that she has with the IDD request and any tax abatements that the City gives out.

Stan Shuck of 818 Cooper spoke about concerns that he has with any NEZ request.

PUBLIC COMMENT**ON CITY GOVERNMENT RELATED MATTERS:**

Jim Humble of 609 Fredrick St spoke about noise problems that he is having with a business by his home.

Bob Gray of 422 Dadson Dr. spoke about the great job that the snow plow trucks did at cleaning the streets in his neighborhood.

William Hubbell of 3916 Wedgewood spoke about who determines which holidays are observed in the City.

Stan Shuck of 818 Cooper spoke about articles that were in the paper regarding down sizing in the City.

Carl Calille of 306 Harriet Ave spoke about the service that City Employees provide to members of the general public.

Gary Andrews of 560 Brookland Blvd. spoke about the enforcement of the snow ordinance for clearing of sidewalks. He also spoke about the Mayors first Executive Order of 2007.

John Pollard of 1718 Blair spoke about snow plowing issues regarding side streets

Frank S. Curtis X of 1137 West Allegan spoke about the Presidents Day Holiday.

Darnell E. Oldham Sr of 3815 Berwick Dr spoke about the issue of a South Side Community Center being located at Harry Hill Center.

Monica Dungey of 3563 Coachlight spoke about the shooting that took place on Wise Rd. She also spoke about the availability of Community Policing in certain communities. She announced that there will be a meeting on Tuesday at 1:00 p.m. at Lansing Church of God on Wise Rd to discuss a Neighborhood Watch program.

Christine Timmon of 2519 Washington spoke about concerns that she has with the police in the schools.

LEGISLATIVE MATTERS**REFERRAL OF PUBLIC HEARINGS**

1. In consideration of IDD-01-07; 300 & 312 Spring St. and 830 & 905 River St., Petition for an Industrial Development District (IDD) filed by S & S Die Company

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

2. In consideration of Z-15-2006; 3631 S. Cedar Petition for rezoning from "C" Residential and "J" Parking to "F" Commercial District filed by Speedway SuperAmerica for the purpose of reconstructing a gasoline station

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

RESOLUTIONS**RESOLUTION #027**

BY COUNCIL MEMBER CAROL WOOD
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Ernestine McMullen has been instrumental in creating and maintaining a healthy community in Lansing for over 30 years; and

WHEREAS, Ms. McMullen began working for the Community Mental Health, confirming her dedication to helping displaced people with mental and drug related illnesses and advocating for the homeless population in Lansing; and

WHEREAS, in 1971, she began the first drug program in Lansing to address the growing drug epidemic; and

WHEREAS, in 1978, Ms. McMullen successfully organized the first African American Festival on the Riverfront drawing in people from Detroit, Chicago, Grand Rapids, and Battle Creek; and

WHEREAS, she was vital to the establishment of what is now known as the Black Child and Family Institute, recognizing the needs of the African American family; and

WHEREAS, Ms. McMullen traveled to Washington D.C. to meet with the First Lady, Nancy Reagan to talk about the "Say No to Drugs campaign". Upon her return, she organized the first "Say No to Drugs" march in Lansing; and

WHEREAS, Ernestine was recognized for many of her achievements and some were highlighted in Certificates of Appreciation: "Endeavors to Bring about Good Relations in the Community," presented by the Pisces Club; the "Community Diagnostic Conference on Teenage Pregnancy/Parenting"; "Just Say No to Drugs," presented by Mayor Terry McKane; the "National Association of Negro Business and Professional Women's Club"; the "United States Marine Corp Toys for Tots"; and the "NAACP"; and

WHEREAS, Ms. McMullen's pioneering spirit and dedication to the community health have been captured in many of Lansing's programs and will be enjoyed by Lansing residents for many years to come.

NOW, THEREFORE, BE IT RESOLVED, that the Lansing City Council, hereby, extends its warmest thank you to Ernestine McMullen for her dedication and service to the City of Lansing and declare this day, Monday, February 19, 2007, Ernestine McMullen Day. We wish you continued success in all your future endeavors!

By Councilmember Wood

To accept a substitute resolution

Motion Carried

By Councilmember Wood

To place an affirmative roll on the substitute resolution

Motion Carried

RESOLUTION #028

BY THE COMMITTEE ON DEVELOPMENT AND PLANNING
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

Neighborhood Enterprise Zone Property Tax Abatement Certificate Approvals for two (2) Units in the Washington Square Zone #10, 212 South Washington, Lansing, Michigan

WHEREAS, the City of Lansing established the Neighborhood Enterprise Zone (NEZ) by resolution and adopted September 7, 1999; and

WHEREAS, two (2) applications were filed with the City of Lansing on January 24, 2007 by Larry Nakfoor, WENOC, L.L.C. for 212 South

Washington Square located in the Neighborhood Enterprise Zone #10, Washington Square for the rehabilitation of residential units as listed below; and

Unit #1 212 S. Washington Square
Unit #2 212 S. Washington Square

WHEREAS, the City wishes to encourage residential housing in areas that are economically distressed through the use of Public Act 147 of 1992 as amended and recognizes that use of the NEZ program is a vital resource to further the goals of creating residential opportunities and redevelopment in downtown Lansing and promoting new construction and rehabilitation of existing buildings for the purpose of creating unique residential housing; and

WHEREAS, the primary use of the property following construction will be rental residences; and

NOW, THEREFORE, BE IT RESOLVED, that the City Council acknowledges receipt of the two (2) applications filed by Larry Nakfoor, WENOC, L.L.C. for the above mentioned properties, and finds that it complies with the requirements of Public Act 147 of 1992 as amended; and

BE IT FURTHER RESOLVED, that City Council finds that the applications meet the requirements necessary for approval of NEZ Certificates so that it hereby approves the issuance of Neighborhood Enterprise Zone Certificates in Zone No. 10 Washington Square for a period of twelve (12) years on the following properties:

Unit #1 212 S. Washington Square
Unit #2 212 S. Washington Square

BE IT FINALLY RESOLVED, that the City Clerk provides four (4) certified copies of this resolution to the Lansing Economic Development Corporation for submission of this action to the State Tax Commission.

By Councilmember Jeffries

Motion Carried

RESOLUTION #029

BY THE COMMITTEE ON DEVELOPMENT AND PLANNING
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

Neighborhood Enterprise Zone Property Tax Abatement Certificate Approvals for two (2) Units in the Washington Square Zone #10, 214 South Washington, Lansing, Michigan

WHEREAS, the City of Lansing established the Neighborhood Enterprise Zone (NEZ) by resolution and adopted September 7, 1999; and

WHEREAS, two (2) applications were filed with the City of Lansing on January 24, 2007 by Larry Nakfoor, WENOC, L.L.C. for 214 South Washington Square located in the Neighborhood Enterprise Zone #10, Washington Square for the rehabilitation of residential units as listed below; and

Unit #1 214 S. Washington Square
Unit #2 214 S. Washington Square

WHEREAS, the City wishes to encourage residential housing in areas that are economically distressed through the use of Public Act 147 of 1992 as amended and recognizes that use of the NEZ program is a vital resource to further the goals of creating residential opportunities and redevelopment in downtown Lansing and promoting new construction and rehabilitation of existing buildings for the purpose of creating unique residential housing; and

WHEREAS, the primary use of the property following construction will be rental residences; and

NOW, THEREFORE, BE IT RESOLVED, that the City Council acknowledges receipt of the two (2) applications filed by Larry Nakfor, WENCO, L.L.C. for the above mentioned properties, and finds that it complies with the requirements of Public Act 147 of 1992 as amended; and

BE IT FURTHER RESOLVED, that City Council finds that the applications meet the requirements necessary for approval of NEZ Certificates so that it hereby approves the issuance of Neighborhood Enterprise Zone Certificates in Zone No. 10 Washington Square for a period of twelve (12) years on the following properties:

Unit #1 214 S. Washington Square
Unit #2 214 S. Washington Square

BE IT FINALLY RESOLVED, that the City Clerk provides four (4) certified copies of this resolution to the Lansing Economic Development Corporation for submission of this action to the State Tax Commission.

By Councilmember Jeffries

Motion Carried

RESOLUTION #030

BY THE COMMITTEE ON DEVELOPMENT AND PLANNING
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

Neighborhood Enterprise Zone Property Tax Abatement Certificate Approvals for 1.5 Units in the Washington Square Zone #10, 329 South Washington, Lansing, Michigan

WHEREAS, the City of Lansing established the Neighborhood Enterprise Zone (NEZ) by resolution and adopted September 7, 1999; and

WHEREAS, one (1) application was filed with the City of Lansing on January 24, 2007 by Scott Gillespie, 329-337 S. Washington, L.L.C. for 329 South Washington Square located in the Neighborhood Enterprise Zone #10, Washington Square for the rehabilitation of 1.5 residential units; and

WHEREAS, the City wishes to encourage residential housing in areas that are economically distressed through the use of Public Act 147 of 1992 as amended and recognizes that use of the NEZ program is a vital resource to further the goals of creating residential opportunities and redevelopment in downtown Lansing and promoting new construction and rehabilitation of existing buildings for the purpose of creating unique residential housing; and

WHEREAS, the primary use of the property following construction will be rental housing; and

NOW, THEREFORE, BE IT RESOLVED, that the City Council acknowledges receipt of the application filed by Scott Gillespie, 329-337 S. Washington, L.L.C. for the above mentioned property, and finds that it complies with the requirements of Public Act 147 of 1992 as amended; and

BE IT FURTHER RESOLVED, that City Council finds that the application meets the requirements necessary for approval of an NEZ Certificate so that it hereby approves the issuance of a Neighborhood Enterprise Zone Certificate in Zone No. 10 Washington Square for a period of twelve (12) years; and

BE IT FINALLY RESOLVED, that the City Clerk provides two (2) certified copies of this resolution to the Lansing Economic Development Corporation for submission of this action to the State Tax Commission.

By Councilmember Jeffries

Motion Carried

RESOLUTION #031

BY THE COMMITTEE ON DEVELOPMENT AND PLANNING
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

Neighborhood Enterprise Zone Property Tax Abatement Certificate Approvals for 1.5 Units in the Washington Square Zone #10, 331 South Washington, Lansing, Michigan

WHEREAS, the City of Lansing established the Neighborhood Enterprise Zone (NEZ) by resolution and adopted September 7, 1999; and

WHEREAS, one (1) application was filed with the City of Lansing on January 24, 2007 by Scott Gillespie, 329-337 S. Washington, L.L.C. for 331 South Washington Square located in the Neighborhood Enterprise Zone #10, Washington Square for the rehabilitation of 1.5 residential units; and

WHEREAS, the City wishes to encourage residential housing in areas that are economically distressed through the use of Public Act 147 of 1992 as amended and recognizes that use of the NEZ program is a vital resource to further the goals of creating residential opportunities and redevelopment in downtown Lansing and promoting new construction and rehabilitation of existing buildings for the purpose of creating unique residential housing; and

WHEREAS, the primary use of the property following construction will be rental housing; and

NOW, THEREFORE, BE IT RESOLVED, that the City Council acknowledges receipt of the application filed by Scott Gillespie, 329-337 S. Washington, L.L.C. for the above mentioned property, and finds that it complies with the requirements of Public Act 147 of 1992 as amended; and

BE IT FURTHER RESOLVED, that City Council finds that the application meets the requirements necessary for approval of an NEZ Certificate so that it hereby approves the issuance of a Neighborhood Enterprise Zone Certificate in Zone No. 10 Washington Square for a period of twelve (12) years; and

BE IT FINALLY RESOLVED, that the City Clerk provides two (2) certified copies of this resolution to the Lansing Economic Development Corporation for submission of this action to the State Tax Commission.

By Councilmember Jeffries

Motion Carried

RESOLUTION #032

BY THE COMMITTEE ON DEVELOPMENT AND PLANNING
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

Neighborhood Enterprise Zone Property Tax Abatement Certificate Approvals for six (6) Units in the Washington Square Zone #10, 333 South Washington, Lansing, Michigan

WHEREAS, the City of Lansing established the Neighborhood Enterprise Zone (NEZ) by resolution and adopted September 7, 1999; and

WHEREAS, one (1) application was filed with the City of Lansing on January 24, 2007 by Scott Gillespie, 329-337 S. Washington, L.L.C. for 333 South Washington Square located in the Neighborhood Enterprise Zone #10, Washington Square for the rehabilitation of six (6) residential units; and

WHEREAS, the City wishes to encourage residential housing in areas that are economically distressed through the use of Public Act 147 of 1992 as amended and recognizes that use of the NEZ program is a vital resource to further the goals of creating residential opportunities and redevelopment in downtown Lansing and promoting new construction and rehabilitation of existing buildings for the purpose of creating unique residential housing; and

WHEREAS, the primary use of the property following construction will be rental housing; and

NOW, THEREFORE, BE IT RESOLVED, that the City Council acknowledges receipt of the application filed by Scott Gillespie, 329-337 S. Washington, L.L.C. for the above mentioned property, and finds that it complies with the requirements of Public Act 147 of 1992 as amended; and

BE IT FURTHER RESOLVED, that City Council finds that the application meets the requirements necessary for approval of an NEZ Certificate so that it hereby approves the issuance of a Neighborhood Enterprise Zone Certificate in Zone No. 10 Washington Square for a period of twelve (12) years; and

BE IT FINALLY RESOLVED, that the City Clerk provides two (2) certified copies of this resolution to the Lansing Economic Development Corporation for submission of this action to the State Tax Commission.

By Councilmember Jeffries

Motion Carried

PULLED FROM THE AGENDA

BY THE COMMITTEE ON DEVELOPMENT AND PLANNING RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

Act-8-06, 200 and 222 N. Washington Square, Pedestrian Walkway

WHEREAS, Katherine Meninga, of Capitol Bancorp, Ltd., 222 N. Washington Square, Suite 250, requests an easement for the construction and use of one (1) overhead pedestrian walkway to connect the existing buildings at 200 and 222 N. Washington Square; and

WHEREAS, the proposed pedestrian bridge will connect the Capitol Bancorp and Phoenix Buildings at the third floor; and

WHEREAS, connecting these buildings will allow more flexibility and greater opportunity for development of downtown businesses; and

WHEREAS, the proposed bridge will be placed approximately 23' above the existing public walkway and will not be open to the public; and

WHEREAS, the estimated fair market value of the easement air space is \$1,500; and

WHEREAS, the Planning Board at its October 17, 2006 meeting found, based on its review of Act-8-06 in accordance with its Act 285 Review procedures, that the location, character, and extent of this proposal is consistent with the Central Lansing Comprehensive Plan, adopted in 1999; and

WHEREAS, on October 17, 2006, the Planning Board voted unanimously (6-0) to recommend approval of Act-8-06, for authorization to construct a pedestrian bridge to connect the two buildings at 200 and 222 N. Washington Square subject to the condition that there be no parking of motor vehicles on this bridge, and

WHEREAS, the Committee on Development and Planning reviewed the report and recommendation of the Planning Board and concurs therewith;

NOW, THEREFORE, BE IT RESOLVED, that the Lansing City Council hereby approves Act-8-06, and grants an easement to permit the construction of a pedestrian bridge to connect the buildings at 200 and 222 N. Washington Square in an area legally described as:

An area of space located between the two horizontally oriented planes the first starting at a point in space located $\pm 22'11.5"$ up directly above the northern boundary of the Pedestrian Walkway that is 8'4" west from a point in space located $\pm 22'11.5"$ up directly above the northern boundary of the Pedestrian Walkway and directly south from the exterior southeast corner of the current location of the Phoenix Building, hence 9' 0" west $\pm 22'11.5"$ above the north boundary of the Pedestrian Walkway, hence 20'0" south along a line that is level and horizontal to a point $\pm 22'11.5"$ directly above the southern boundary of the Pedestrian Walkway, hence 9' 0" east along a level and horizontally line located $\pm 22'11.5"$ above the south boundary of Pedestrian Walkway, hence $\pm 20'0"$ north along a line that is level, horizontal to the point of beginning of the first plane; the second horizontal plane begins 14'4" directly above the point of beginning of the first plane, hence 9' 0" west $\pm 37'3.5"$ above the north boundary of the Pedestrian Walkway, hence 20'0" south along a line that is level and horizontal to a point $\pm 37'3.5"$ directly above the southern boundary of the Pedestrian Walkway, hence 9' 0" east along a level and horizontally line located $\pm 37'3.5"$ above the south boundary of Pedestrian Walkway, hence $\pm 20'0"$ north along a line that is level and horizontal to the point of beginning of the second plane.

BE IT FURTHER RESOLVED, that prior to commencement of construction, Capitol Bancorp shall enter into an easement agreement for use of the air space necessary for the construction, use, and maintenance of the proposed pedestrian bridge in a form which is acceptable to the City Attorney.

BE IT FURTHER RESOLVED, the agreement shall provide that:

1. Bancorp, at its sole cost and expense, shall construct, install and maintain the pedway in conformance with the building specifications as approved by the City's Planning and Development Department.
2. Bancorp shall provide as-built (conforming to construction) plans and diagrams of the proposed pedestrian bridge to the Building Safety Office and the Department of Public Service.
3. Bancorp shall, from this date forward, maintain the easement area and structure thereon including the access doorways, stairways, signs and lights in a safe, sanitary and good condition and repair.
4. Use of the pedway shall be confined to pedestrian traffic and no vehicles of any sort shall be placed upon or driven on the pedway.
5. Bancorp shall carry comprehensive general liability insurance covering its legal liability for claims involving personal injury, death and property damage incurred on or about the easement property.
6. Bancorp agrees to defend, indemnify and hold the City, its officers, agents and employees harmless against and from all claims, losses, damages, costs and expenses, including attorney fees, because of personal injury or death of persons or destruction of property resulting from or arising out of Bancorp's use and exercise of the easement, rights and privileges in the easement area.
7. If Bancorp transfers one or both of the properties attached to the pedway, the transferee shall, as a condition of transfer, agree to and become liable for all of the terms, conditions, and covenants contained in the easement agreement.

8. The agreement shall be binding on and inure to the benefit of the respective successors and permitted assigns of the parties.
9. The easement agreement and the privileges granted by it shall terminate when the purposes for which it was created cease to exist or are abandoned by Bancorp.
10. The City, shall reserve the right to grant easements to any governmental unit, public body and/or utility company for the construction, installation, maintenance, repair, relocations, modification, extension or alteration of sanitary sewers, storm drainage systems, fire protection installations, gas, water or power and telephone lines so long as such utility lines are installed underground and do not interfere with any use of the easement area for its intended purpose.
11. The City shall retain and continue to enjoy the use of the surface underneath the easement for any and all purposes which do not interfere with or prevent the use by Bancorp of the easement. This includes the right to build upon or use the surface of the area underneath the easement for drainage ditches, private streets, roads, driveways, alleys walks, gardens, lawns, planting or parking areas and other like use.

BE IT FURTHER RESOLVED, that the Mayor, on behalf of the City, is authorized to sign and execute any documents necessary to effectuate the aforementioned easement agreement, subject to its approval as to form by the City Attorney.

BE IT FINALLY RESOLVED, the City Clerk, within 30 days hereafter, shall forward certified copies of this resolution to the Ingham County Register of Deeds for recording, and upon return, transmit a copy of the recorded resolution to the Michigan Department of Labor and Economic Growth, Subdivision Control Unit, to the Department of Public Service, the Planning and Assessor's Offices, and to the applicant.

RESOLUTION #033

BY THE DEVELOPMENT AND PLANNING COMMITTEE
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING
RESOLUTION APPROVING
BROWNFIELD PLAN #30 – FORMER DARD BUILDING
BROWNFIELD PROJECT

WHEREAS, the Brownfield Redevelopment Authority (the "Authority") of the City of Lansing, pursuant to and in accordance with the provisions of the Brownfield Redevelopment Financing Act, Public Act, Public Act 381 of 1996, as amended, (the "Act") has prepared a Brownfield Plan, submitted to Council and placed on file in the office of City Clerk, LBRA Brownfield Plan #30 – Former Dard Building Brownfield Plan (the "Plan"); and

WHEREAS, a public hearing was held by the Lansing City Council and at least 20 days before the public hearing the taxing jurisdictions were provided notice to be fully informed about the fiscal and economic implications of the proposed Plan and given a reasonable opportunity to express their views and recommendations regarding the Plan in accordance with Section 13 (10) and 14(1) of the Act; and

WHEREAS, the Lansing City Council, after its public hearing on February 5, 2007, reviewed testimony and evidence regarding the Plan, and found that:

1. the Project Property was historically used for manufacturing and dry cleaners,
2. the Plan provides for the reimbursement of costs attributable to eligible activities to the developer and the Authority,
3. the Project includes, in addition to the eligible activities

identified in the Plan, the redevelopment of the property,

4. the Project may result in new private investment of approximately \$617,000,
5. the Plan provides for the capture of property tax increment revenues due to the private investment on the site, and devotes them to repaying the Authority for its' costs associated with eligible activities it performs, and to repaying the developer for their costs associated with eligible activities they perform, in accordance with the Plan,

WHEREAS, the Authority Board of Directors, at its meeting of December 6, 2006, unanimously recommended approval of the Plan, for this Project;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, after having duly considered the Plan, finds it is in compliance with the provisions of the Act and further finds:

1. The Plan constitutes a public purpose under the Act;
2. The Plan meets all of the requirements for a "Brownfield Plan" set forth in Section 13 of the Act;
3. The proposed method of financing the costs of the eligible activities, as described in the Plan, is feasible and the Authority has the ability to arrange the financing;
4. The costs of the eligible activities proposed in the Plan are reasonable and necessary to carry out the purposes of the Act; and
5. The amount of the captured taxable value estimated to result from the adoption of the Plan is reasonable.

BE IT FINALLY RESOLVED that the Lansing City Council hereby approves the LBRA "Brownfield Plan #30 – Former Dard Building Brownfield Plan".

By Councilmember Jeffries

Motion Carried

RESOLUTION #034

BY THE COMMITTEE ON DEVELOPMENT AND PLANNING
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Mayor has requested confirmation of the transfer of Jerry Hollister from an At Large position to a 4th Ward position on the Planning Board with a term to expire June 30, 2008.

WHEREAS, the Committee on Development and Planning met on February 14, 2007, and recommended confirmation of this appointment transfer.

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby confirms the Mayor's transfer of Jerry Hollister from an At Large position to a 4th Ward position on the Planning Board with a term to expire June 30, 2008.

By Councilmember Jeffries

Motion Carried

RESOLUTION #035

BY THE COMMITTEE ON DEVELOPMENT AND PLANNING
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Mayor has requested confirmation of the transfer of Andrew Frederick from a 2nd Ward seat to an At Large seat on the Planning Board with a term to expire June 30, 2010.

WHEREAS, the Committee on Development and Planning met on February 14, 2007, and recommended confirmation of this appointment transfer.

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby confirms the Mayor's transfer of Andrew Frederick from a 2nd Ward seat to an At Large seat on the Planning Board with a term to expire June 30, 2010.

By Councilmember Jeffries

Motion Carried

RESOLUTION #036

BY THE PUBLIC SERVICE COMMITTEE
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

PUBLIC IMPROVEMENT I

WHEREAS, the Mayor and City Council of the City of Lansing have established the need to construct new public sidewalk and repair and reconstruct the existing public sidewalk along the following streets:

- 1) The west side of North Larch Street between Thomas Street and Douglas Street
- 2) Both sides of Douglas Street between Larch Street and Benjamin Drive
- 3) The south side of Miller Road between S. Pennsylvania Avenue and Beechfield

WHEREAS, the need for sidewalk along these sections of Douglas Street and North Larch Street was previously established in Resolution #167 passed by City Council on April 25, 2005; and

WHEREAS, the need for sidewalk along this section of Miller Road was previously established in Resolution #370 passed by City Council on July 21, 2003; and

WHEREAS, the City Council has determined that this proposed public improvement will benefit especially the properties in the vicinity of the work to be done and that a benefit district pursuant to Chapter 1026 of the Lansing Code of Ordinances should be established to be specially assessed for the public improvement;

NOW, THEREFORE, BE IT RESOLVED that the City Council hereby determines it to be of a public necessity to construct the following public improvements: sidewalk along

- 1) The west side of North Larch Street between Thomas Street and Douglas Street
- 2) Both sides of Douglas Street between Larch Street and Benjamin Drive
- 3) The south side of Miller Road between S. Pennsylvania Avenue and Beechfield, excepting all public streets and alleys and other land deemed not benefited, and

BE IT FURTHER RESOLVED that the cost of these improvements may be financed by special assessments to the benefited property owners, and that the City's public share of the project shall be paid from funds to be determined; and

BE IT FINALLY RESOLVED that the Department of Public Service is hereby authorized to prepare necessary plans and specifications for these improvements; to obtain the necessary easements and licenses for construction; and to determine the cost of said project in sufficient

detail to establish the special assessment district and the applicable assessment to the properties in the district, and to furnish said information to the Mayor and City Council.

By Councilmember Dunbar

Motion Carried

RESOLUTION #037

BY THE COMMITTEE ON PUBLIC SERVICES
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

PUBLIC IMPROVEMENT I

WHEREAS, the Public Service Department has established the need for construction of sidewalk, curb and gutter and necessary storm drainage improvements for Haag Road from Miller Road to Martin Luther King Jr. Boulevard; and

WHEREAS, the City Council has determined that this proposed public improvement will benefit especially properties in the vicinity of the work to be done and that a benefit district pursuant to Chapter 1026 of the Lansing Code of Ordinances should be established to be specially assessed for the public improvement; and

WHEREAS, the Haag Road reconstruction project is scheduled for reconstruction in 2007 as a federally funded Urban Surface Transportation Program (STP) project as listed in Tri-County Regional Planning Commission (TCRPC) Transportation Improvement Program (TIP);

NOW, THEREFORE, BE IT RESOLVED that the City Council hereby determines it to be of a public necessity to construct the following public improvements: sidewalk, curb and gutter and necessary storm drainage improvements for Haag Road from Miller Road to Martin Luther King Jr. Boulevard; and

BE IT FURTHER RESOLVED that the cost of those improvements may be financed by special assessments to the benefited property owners, and that the City's public share of the project shall be paid from Urban STP federal and Act 51 funds;

BE IT FINALLY RESOLVED that the Department of Public Service is hereby authorized to prepare necessary plans and specifications for these improvements, to obtain the necessary easements and licenses for construction, and to determine the cost of said project in sufficient detail to establish the special assessment district and the applicable assessment to the properties in the district, and to furnish said information to the Mayor and City Council.

By Councilmember Dunbar

Motion Carried

RESOLUTION #038

BY THE COMMITTEE ON PUBLIC SERVICES
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

PUBLIC IMPROVEMENT I/II

WHEREAS, the Public Service Department has established the need to repair and reconstruct the public sidewalk in the following described district:

PROPERTIES BENEFITED:

- An area bounded by Jolly Rd., Crocus Ave., Bluebell Dr., and S. Washington Ave.,

- An area bounded by Jolly Rd., Ballard Rd., Ingham St., and Fielding Dr.,
- An area bounded by Cavanaugh Rd., S. Pennsylvania Ave., Vernon Ave., and Parkway Blvd., excepting all public streets and alleys and other land deemed not benefited; and

WHEREAS, this reaffirms the need for sidewalk in the area bounded by Cavanaugh Rd., S. Pennsylvania Ave., Vernon Ave., and Parkway Blvd which was previously recognized in a Council resolution adopted on May 2, 2005; and

WHEREAS, the Public Service Department requests, pursuant to Chapter 1024.03 of the Code of Ordinances that the repair and reconstruction of these public sidewalks be determined by City Council to be a necessary public improvement, and

WHEREAS, the City Council has determined that this proposed public improvement will benefit especially properties in the vicinity of the work to be done and that a benefit district pursuant to Chapter 1026 of the Lansing Code of Ordinances should be established to be specially assessed for the public improvement;

NOW, THEREFORE, BE IT RESOLVED that the City Council hereby determines it to be of a public necessity to construct the following public improvements: sidewalk repair in following areas:

- An area bounded by Jolly Rd., Crocus Ave., Bluebell Dr., and S. Washington Ave.,
- An area bounded by Jolly Rd., Ballard Rd., Ingham St., and Fielding Dr.,
- An area bounded by Cavanaugh Rd., S. Pennsylvania Ave., Vernon Ave., and Parkway Blvd., excepting all public streets and alleys and other land deemed not benefited;

BE IT FURTHER RESOLVED that the cost of these improvements is to be financed by special assessments to the benefited property owners, and the City's public share of the project shall be paid from FY2007 sidewalk repair funds.

BE IT FINALLY RESOLVED that the Department of Public Service is hereby authorized to prepare necessary plans and specifications for these improvements, to obtain the necessary easements for construction, and to determine the cost of said project in sufficient detail to establish the special assessment district and the applicable assessment to the properties in the district, and to furnish said information to the Mayor and City Council.

By Councilmember Dunbar

Motion Carried

RESOLUTION #039

BY THE COMMITTEE ON PUBLIC SERVICES
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

PUBLIC IMPROVEMENT II/III

WHEREAS, pursuant to the Public Improvement I adopted by this Council, the Director of Public Service has completed the plans and specifications and furnished the following information:

PROJECT TITLE: Construction of Storm Drainage Facilities in CSO 013 North West project area, P.S. #15088

PROPERTY BENEFITTED:

Drainage Improvements: Properties located in the CSO 013 North West project area bounded by: Sheridan Road on North; Turner Street on the East; Howe Street on the South; and Jones Lake on the West, that would

include: Hylewood Avenue; Fredrick Avenue; Fairfield Avenue; Carrier Street; Paulson Street; Howe Street; Felt Street; and Northdale Street, excepting all public streets and alleys and other land deemed not benefited.

WHEREAS, the City Assessor has completed the assessment roll for road improvements, based upon contract costs and other related costs of construction, and furnished the following information:

COST OF IMPROVEMENTS:

Assessment Roll Number G-388	City's Contribution	Assessable to Property Owner
Assessable Drainage Improvements	\$0.00	\$427,668.50
Other Project Costs	\$5,837,309.40	\$0.00
Total	\$5,837,309.40	\$427,668.50

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby directs that the above-mentioned plans, specifications, and other pertinent information regarding this project be received, approved, and place on file for public inspection; and

BE IT FURTHER RESOLVED the Director of Public Service is authorized to obtain the easements, licenses, and real property rights required for the project; and

BE IT FURTHER RESOLVED the Lansing City Council will hold a public hearing on Monday, March 12, 2007, at 7:00 PM, in the Council Chambers, to review, prior to confirmation, said assessment roll; and

BE IT FURTHER RESOLVED that the City Clerk and the Public Service Director are hereby requested to give due notice of this public hearing as provided by Chapter 1020, Section 1026.06 (c) (1), of the Code of Ordinances by publishing a notice of a public hearing in a daily newspaper of the City, not more than twenty days and not less than ten days before such public hearing. Said notice shall include the time and place of the hearing; a description of the section or area of the City in the special assessment roll; where the special assessment roll is on file and may be examined; that any person aggrieved by the assessments as contained in the special assessment roll, or the necessity of the improvement, may file a written objection thereto which must be delivered to the City Clerk prior to the close of the hearing, or the person may appear and protest the same at the public hearing in person or by his or her representative; that the appearance and protest or written protest in the manner described is required if the person desires to appeal the amount of the assessment to the Michigan Tax Tribunal; and that any appeal to the Michigan Tax Tribunal must be taken within thirty days of the confirmation of the special assessment roll, provided a protest was timely made.

BE IT FINALLY RESOLVED, the pursuant to the requirement of 1962 PA 162, as amended, MCL 211.741, et seq.; MSA 5.3534(1), et seq., appearance and protest at the hearing in the special assessment proceedings is required in order to appeal the amount of the special assessment to the State Tax Tribunal. An owner or party in interest, or his or her agent may appear in person at the hearing to protest the special assessment, or shall be permitted to file his or her appearance or protest by letter and his or her personal appearance shall not be required.

Funds are available for the City of Lansing's share of said project in accounts as following:

SOURCES OF FUNDING:

Source	Amount	Account Number
CSO's Project Share of	\$4,363,583.77	TBD

Costs		
BWL's Share of Cost	\$889,802.54	TBD
City Share of Costs, Local Roads	\$81,078.90	TBD
City Share of Costs, Major Streets	\$12,547.19	TBD
City Share of Other Costs	\$490,297.00	TBD
Assessment Roll # G-388	\$427,668.50	404-933690-42262
TOTAL	\$6,264,977.90	

By Councilmember Dunbar

Motion Carried

RESOLUTION #040

BY THE COMMITTEE ON PUBLIC SERVICES
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

PUBLIC IMPROVEMENT II/III

WHEREAS, pursuant to the Public Improvement I, Resolution #455, adopted by this council on October 1, 2003, the Director of Public Service has completed the plans and specifications and furnished the following information:

PROJECT TITLE: PS# 68050 Cavanaugh Road, from Aurelius Road to Dunckel Road

PROPERTY BENEFITTED

CURB AND GUTTER: All lands fronting on Cavanaugh Road from Aurelius Road to Dunckel Road, excepting all public streets and alleys and other land deemed not benefited.

PROPERTY BENEFITTED

STORM SEWER: All lands fronting on Cavanaugh Road from Aurelius Road to Dunckel Road, also all lands fronting on Eastlawn Drive from Cavanaugh Road to 500 feet south of Cavanaugh Road, excepting all public streets and alleys and other land deemed not benefited.

WHEREAS, the City Assessor has completed the assessment roll for curb and gutter, based upon contract costs and other related costs of construction, and furnished the following information:

COST OF IMPROVEMENTS:

Assessment Roll Number 389	City & Federal Contribution	Assessable to Property Owner
Curb and Gutter Costs	\$ 30,212.21	\$ 69,941.10
Storm Sewer Costs	\$ 11,330.68	\$ 68,102.08
Other Costs	\$681,321.96	\$ 0.00
Total	\$722,864.85	\$138,043.18

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby directs that the above-mentioned plans, specifications, and other pertinent information regarding this project be received, approved, and place on file for public inspection; and

BE IT FURTHER RESOLVED the Lansing City Council will hold a public hearing on March 19, 2007, in the Council Chambers, to review, prior to confirmation, said assessment roll; and

BE IT FURTHER RESOLVED the Lansing City Council will defer the proposed assessment for storm sewer of properties on Eastlawn Drive that do not also border Cavanaugh Road until such a time as further drainage improvements are made to Eastlawn Drive; and

BE IT FURTHER RESOLVED that the City Clerk and the Public Service

Director are hereby requested to give due notice of this public hearing as provided by Chapter 1020, Section 1026.06 (c) (1), of the Code of Ordinances by publishing a notice of a public hearing in a daily newspaper of the City, not more than twenty days and not less than ten days before such public hearing. Said notice shall include the time and place of the hearing; a description of the section or area of the City in the special assessment roll; where the special assessment roll is on file and may be examined; that any person aggrieved by the assessments as contained in the special assessment roll, or the necessity of the improvement, may file a written objection thereto which must be delivered to the City Clerk prior to the close of the hearing, or the person may appear and protest the same at the public hearing in person or by his or her representative; that the appearance and protest or written protest in the manner described is required if the person desires to appeal the amount of the assessment to the Michigan Tax Tribunal; and that any appeal to the Michigan Tax Tribunal must be taken within thirty days of the confirmation of the special assessment roll, provided a protest was timely made.

BE IT FINALLY RESOLVED, the pursuant to the requirement of 1962 PA 162, as amended, MCL 211.741, et seq.; MSA 5.3534(1), et seq., appearance and protest at the hearing in the special assessment proceedings is required in order to appeal the amount of the special assessment to the State Tax Tribunal. An owner or party in interest, or his or her agent may appear in person at the hearing to protest the special assessment, or shall be permitted to file his or her appearance or protest by letter and his or her personal appearance shall not be required.

Funds are available for the City of Lansing's share of said project in accounts as follows:

	Amount	Account Number
Federal STP Funding	\$ 696,500.00	
City Share of Curb and Gutter Costs	\$ 26,364.85	202.453601.974100.50018
Assessment Roll 389	\$138,043.18	Account to be Established

By Councilmember Dunbar

To accept a substitute Resolution for the one originally placed in the packet

Motion Carried

By Councilmember Dunbar

To place an affirmative roll on the substitute Resolution

Motion Carried

RESOLUTION #041

BY COMMITTEE OF THE WHOLE
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Mayor appointed William B. Castanier, 1801 Tecumseh River Drive, Lansing, Michigan 48901 to fill a vacant position in the Elected Officers Compensation Commission; and

WHEREAS, the Committee of the Whole met on Thursday, February 15, 2007 to consider this appointment;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council, hereby, confirms the appointment of William B. Castanier to the Elected Officers Compensation Commission, term to expire October 1, 2007.

By Councilmember Jeffries

Motion Carried

REPORTS FROM COUNCIL COMMITTEES

RESOLUTION #042

BY THE COMMITTEE ON DEVELOPMENT AND PLANNING

The Committee on Development and Planning met to review the adoption of Z-16-06; 200 Block, E. Grand River, for rezoning from "F-1" Commercial to "G-1" Business District filed by Richard Karp for the purpose of constructing a new building at this location that would contain a mix of commercial and residential uses.

The Committee recommended adoption of Z-16-06; 200 Block, E. Grand River, for rezoning from "F-1" Commercial to "G-1" Business District filed by Richard Karp for the purpose of constructing a new building at this location that would contain a mix of commercial and residential uses.

Brian C. Jeffries, Chair

By Councilmember Jeffries

To receive this committee report

Motion Carried

ORDINANCES FOR INTRODUCTION

INTRODUCTION OF ORDINANCES

The following ordinance of the City of Lansing, Michigan, providing that the Code of Ordinances be amended by providing for the rezoning of property located in the City of Lansing, Michigan, and for the revision of the district maps adopted by Section 1246.02 of the Code for property located at:

Z-17-2006, Part of 715 W. Willow Street, from "B" Residential District to "DM-1" Residential District

was introduced by the Committee on Development & Planning, read a first and second time by its title and referred to the Committee on Development and Planning.

RESOLUTION #043

BY THE COMMITTEE ON DEVELOPMENT & PLANNING
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

Resolved by the City Council of the City of Lansing that a public hearing be set for Monday, March 12, 2007, at 7 p.m. in City Council Chambers, Tenth Floor, Lansing City Hall, 124 West Michigan Avenue, Lansing, Michigan, for the purpose of approving and/or opposing the Ordinance for rezoning:

Z-17-2006, Part of 715 W. Willow Street, from "B" Residential District to "DM-1" Residential District

By Councilmember Jeffries

Motion Carried

ORDINANCES FOR PASSAGE

BY COUNCILMEMBER JEFFRIES

That we move to the passage of Ordinances

Motion Carried

BY COUNCILMEMBER JEFFRIES

That the Ordinance when read be considered as read in its entirety.

Motion Carried

BY THE COMMITTEE ON DEVELOPMENT AND PLANNING

BY COUNCILMEMBER JEFFRIES

Resolved by the City Council of the City of Lansing that the Ordinance providing that the Code of Ordinances, City of Lansing, Michigan, be amended by providing for the rezoning of a parcel of property located in the City of Lansing, Michigan, and for the revision of the district maps adopted by Section 1246.02 of the Code for property located at Z-16-2006; 200 Block, E. Grand River Ave., be placed on order of immediate passage.

BY THE COMMITTEE ON DEVELOPMENT AND PLANNING

BY COUNCILMEMBER JEFFRIES

Resolved by the City Council of the City of Lansing that the Ordinance providing that the Code of Ordinances, City of Lansing, Michigan, be amended by providing for the rezoning of a parcel of property located in the City of Lansing, Michigan, and for the revision of the district maps adopted by Section 1246.02 of the Code for property located at Z-16-2006; 200 Block, E. Grand River Ave., be now passed.

YEAS: Councilmembers Allen, Dunbar, Jeffries, Kaltenbach, Leeman, Quinney, Williams and Wood

NAY: None

ABSENT: None

By Councilmember Jeffries

THAT THIS ORDINANCE, BEING NECESSARY FOR THE IMMEDIATE PRESERVATION OF THE PUBLIC, PEACE, HEALTH, OR SAFETY SHALL TAKE EFFECT UPON ITS PASSAGE

Motion Carried

ORDINANCE #2527

AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, PROVIDING FOR THE REZONING OF A PARCEL OF REAL PROPERTY LOCATED IN THE CITY OF LANSING, MICHIGAN AND FOR THE REVISION OF THE DISTRICT MAPS ADOPTED BY SECTION 1246.02 OF THE CODE OF ORDINANCES.

The City of Lansing ordains:

Section 1. That the district maps adopted by and incorporated as Section 1246.02 of the Code of Ordinances of the City of Lansing, Michigan be amended to provide as follows:

To change the zoning classification of the property described as follows:

Case Number:	Z-16-2006
Address:	200 Block, E. Grand River Avenue
Parcel Number:	PPN's: 33-01-01-09-403-061/071/081
Legal Descriptions:	The west 66 feet of the east 106 feet of the north 90 feet of Lot 1 and the 10 foot wide alley to the south, Subdivision of Block 12, City of Lansing, Ingham County, Michigan, from "F-1" Commercial to "G-1" Business District

Section 2. All ordinances or parts of ordinances inconsistent with the

provisions hereof are hereby repealed.

Section 3. This ordinance shall take effect thirty (30) days from its passage unless given immediate effect by the City Council.

This Ordinance was given immediate effect by motion of Councilmember Jeffries

CHRIS SWOPE, LANSING CITY CLERK

**REPORTS FROM CITY OFFICERS, BOARDS, AND COMMISSIONS;
COMMUNICATIONS AND PETITIONS;
AND OTHER CITY RELATED MATTERS**

By Councilmember Jeffries that all items be considered as being read in full and that President Leeman make the appropriate referrals

Motion Carried

• Reports from City Officers, Board and Commissions:

- a. Letter from the City Clerk submitting the Mayor's Executive Order 2007-01; Requiring Energy Conservation and the use of Renewable Energy

REFERRED TO THE COMMITTEE OF THE WHOLE

- b. Letter from the City Clerk submitting Licenses and Bonds for City Council approval; A request to transfer ownership of a 2006 Class C Licensed Business with Dance-Entertainment Permit located at 5141 S. Martin Luther King Jr. Blvd from RG Metro, Inc. to Serrie Inc.

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

- c. Letter from the City Clerk submitting minutes of Boards and Authorities placed on file in the City Clerk's Office

RECEIVED AND PLACED ON FILE

- d. Letters from the Mayor re:

- i. TCO-07-009; Parking Regulations on Grand River Ave. between Washington Ave. and Turner St.

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

- ii. TCO-07-027; Parking Regulations on Grand River Ave. between Center St. and Turner St.

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

- iii. TCO-07-028; Parking Regulations on Grand River Ave. between Cedar St. and Center St.

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

- iv. Application for an Obsolete Property Rehabilitation Act (OPRA) District filed by Lynne Brown and Anne Hill for property located at 319 E. Grand River Ave.

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

- v. Planning Board recommendations regarding an application for a Neighborhood Enterprise Zone district for the Riverbend/Whitehall property

bounded by Main St. to the north, the Grand River to the south, Washington Ave. to the west and the east line of parcel 3301-0121-203-030 to the east

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

• Communications and Petitions, and Other City Related Matters:

- a. Notice from the Ingham County Road Commission of a public hearing to be held March 8, 2007 in consideration of construction projects proposed by the Board to be accomplished in 2007

REFERRED TO THE COMMITTEE ON INTERGOVERNMENTAL RELATIONS AND REFERRED TO THE COMMITTEE ON PUBLIC SERVICES

- b. Letter from Haran C. Rashes of Clark Hill, PLC submitting an Application on behalf of Arialink Telecom, LLC regarding a Uniform Video Service Local Franchise Agreement for the City of Lansing

REFERRED TO THE CITY ATTORNEY

- c. Letter from Michigan Department of Labor & Economic Growth Michigan Liquor Control Commission providing a 15-Day Notice of an application filed by Khushi, Inc requesting Transfer Ownership of a 2006 SDD and SDM licenses from Baljit Singh for property located at 800 W. Mt. Hope

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

- d. Letter from Alfonso Salas, Commission Member and Art Luna, Commission Chairperson of Capital Area Cesar Chavez Commission regarding a memorial for Cesar Chavez

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

- e. Letter from the Eastside Neighborhood Organization stating traffic concerns on Merrill St. regarding the USPS Drive-up Annex

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY AND REFERRED TO THE CITY ATTORNEY AND REFERRED TO TRANSPORTATION DEPARTMENT

- f. Electronic mail from Lori Mann of 3427 Bergman Ave. stating traffic concerns with the proposed reconstruction of a Speedway SuperAmerica gasoline station on S. Cedar St.

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

- g. Electronic mail from Kathryn Meniga of Mishler & Meniga, PLC regarding the proposed construction project at the corner of Michigan Ave. and Washington Ave.

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES

- h. Letter from the State of Michigan Liquor Control Commission Department of Labor & Economic Growth requesting information to support Resolution 459 of 2006 regarding the Denial of an application to transfer ownership of a 2006 SDD & SDM licensed business located at 428 S. Washington from Sat Sang, Inc

RECEIVED AND PLACED ON FILE

MOTION OF EXCUSED ABSENCE

REMARKS BY COUNCILMEMBERS

Councilmember Quinney stated that he is concerned about comments that have been made regarding the shooting death of a young boy. He said that he is happy to know that we are moving forward with the South Side Community Center project. He thanked Dennis and Willy for a wonderful job with the kids at Fairview. He announced that the Local UAW 652 will be hosting an event on February 25 at 3:00 p.m. in honor of Black History Month.

Councilmember Kaltenbach requested that the administration look into the matter of a State Chess Champion sign being posted at all City entrances.

Councilmember Allen asked the administration to look into getting signs made and placed in neighborhoods that state deaf child area.

Councilmember Dunbar said that she too is excited about the South Side Center tie-in with Lansing School District. She addressed comments that were made from a speaker tonight about Council refusing to meet with a developer because of color; she said that is so far from the truth.

Councilmember Allen gave a history of what Council has done to assist the administration to get to this point of having a South Side Community Center. She stated that she is very happy with the partnership between the City and the School District.

President Leeman said that the Committee of the Whole will not be meeting this week. He said that the house at Kalamazoo and Foster came down over the weekend.

**REMARKS BY THE MAYOR
OR EXECUTIVE ASSISTANT**

Jerry Ambrose, Executive Assistant to Mayor Bernero, thanked Councilmember Dunbar for addressing the issue regarding the South Side Community Center. He spoke about comments that were made tonight regarding the Executive Management Plan and commented that no changes have been made to the plan since January 2006.

ADJOURNED TIME 9:31 P.M.

CHRIS SWOPE, LANSING CITY CLERK



**OFFICIAL PROCEEDINGS OF
THE CITY COUNCIL
CITY OF LANSING
PROCEEDINGS OF FEBRUARY 26, 2007**

City Council Chambers
Lansing, Michigan

The City Council of the City of Lansing met in regular session and was called to order at 7:00 p.m. by President Leeman.

PRESENT: Councilmembers Allen, Jeffries, Kaltenbach, Leeman, Williams, Wood

ABSENT: Councilmember Dunbar (Arrived at 7:07 p.m.) and Councilmember Quinney

Meditation and Pledge of Allegiance led by President Leeman

APPROVAL OF MINUTES

By Councilmember Williams

To approve the printed Council Proceedings of February 19, 2006

Motion carried

CONSIDERATION OF LATE ITEMS

By Vice President Jeffries

To suspend City Council Rule #11 to allow for Consideration of Late Items

Motion carried

The following items were added to the agenda:

1. From Councilmember Allen: Letter from the Mayor submitting Amendments to the Executive Management Fringe Benefit Plan effective July 1, 2007
2. From Councilmember Wood: Presentation; Promotion of the sale of Girl Scout cookies
3. From Councilmember Leeman: Presentation; Mayor's Drug Free Youth Task Force 2006-2007 School-Based Mini Grants
4. From Councilmember Leeman: Presentation; "Anti-Slavery Day in Lansing"

TABLED ITEMS

SPECIAL CEREMONIES

- Special Ceremonies
- 1. Proclamation; Honoring Bruce Bragg on his retirement as the Director of the Ingham County Health Department

THIS ITEM WAS PULLED FROM THE AGENDA

Councilmember Dunbar arrived at the meeting at 7:07 p.m.

2. Presentation; Mayor's Drug Free Youth Task Force 2006-2007 School-Based Mini Grant Recipients

Mayor Bernero said this year we are awarding \$4,250 to eight school

based programs; these programs serve over 6,000 Students. He introduced and congratulated some of the Mini Grant recipients.

Chairperson Troy Wendell said the Task Force is awarding grants to Lansing School Teachers for programs that they teach students to stay drug free. He spoke about the annual golf outing fund raiser this summer.

Mayor Bernero introduced Mary Beth Braddick from Dwight Rich Middle School stated that this grant helps with their "Overnight Lock-In." This is a project where parents, students and, siblings spend the night at the school and participate in many fun activities.

Jill Campbell, Counselor at Otto Middle School spoke about the Peer Assistance Leaders (PALs) program.

Mayor Bernero mentioned some of the other programs that will receive funding.

3. Presentation; "Anti-Slavery Day in Lansing"

Mayor Bernero said that Martha Fujiti brought this concern to his attention partially because of it being Black History Month and the fact that slavery still does exist in the world. He read the proclamation. He thanked Martha for her help with this.

Martha Fujiti thanked the Mayor for this honor. She stated that she is an associate with "Free the Slaves," which is the oldest and largest anti slavery organization in the United States. She said on Tuesday at 3:00 p.m. in Council Chambers there will be an interview program with two local experts. On Wednesday at 7:00 p.m. at the Everybody Reads bookstore there will be a screening of a play made by the organization Free the Slaves called "Dreams Die Hard."

4. Presentation; Promotion of the sale of Girl Scout cookies

Pam Sievers of Girl Scouts of America spoke about the upcoming events that the Scouts will be hosting as well as the need for an increase in the sale of cookies. She thanked the City for their support.

**COUNCILMEMBERS' COMMENTS
AND CITY CLERK'S ANNOUNCEMENTS:**

Councilmember Allen announced that on Tuesday there will be a meeting of the South Side Physical Environmental Committee at 12:00 noon at the South Precinct. On Tuesday evening the Old Everett Association will be meeting at Ingham Regional Hospital.

Councilmember Kaltenbach announced that the Grand Opening of the New North Network Center is March 3, from 1:00 p.m. to 3:00 p.m. in the lower level of the Gym at the at the Mid-Michigan Leadership Academy.

Councilmember Dunbar stated that the Churchill Downs fund raiser had a record turnout and that all the proceeds went to Angel House. She stated that last Wednesday was the Chamber of Commerce Dinner and it was well done. She said that the Bea Christy Award Dinner was last Friday night and there was a great turnout.

Councilmember Wood announced that Impact will be meeting on Tuesday, March 20 from 10:00 a.m. to 12:00 p.m. or at 5:30 p.m. to 7:30 p.m. at the Foster Community Center in Room 213. The Capitol Area District Library will be holding a public meeting on Tuesday,

March 6 at 7:00 p.m. She congratulated her mother, Ruth Hallman, on being the recipient of the Bea Christy Award. She gave her condolences to Steve Gass and his family for their loss and to the family of Andrew Anthos.

Councilmember Williams announced that Coachlight Association will be meeting on Tuesday at 6:00 p.m. at New Mt. Calvary Church located at Waverly and Miller. The meeting for the South Side Neighborhood that was scheduled for Tuesday has been canceled.

Councilmember Jeffries announced that there will be a celebration on Tuesday for the opening of the first home with Ingham County Land Bank. The home is located at 922 N. Pennsylvania.

Councilmember Allen spoke about the loss of Andrew Anthos who supported lighting the Capitol dome in red, white, and blue.

Councilmember Dunbar spoke about how the death of Andrew Anthos may have been a hate crime.

President Leeman announced that the North Town Neighborhood Association will be meeting at 6:30 p.m. on Tuesday at Grand River School.

SPEAKER REGISTRATION FOR PUBLIC COMMENT

(Clerk Swope announced that the public comment registration form(s) for those intending to address Council on legislative or City government matters will be collected and that only those persons who have fully completed the form(s) will be permitted to speak.)

MAYOR'S COMMENTS

Mayor Bernero spoke about an amendment to the Executive Management Fringe Benefit Plan. He detailed the changes to the Health Care portion of the plan. He spoke about the re-opening of two blocks of Washington Square to vehicle traffic. He spoke about a request for an easement for a pedestrian walkway. He spoke about attending the funeral of the young boy who was killed last week. He said that there is a suspect in Police custody for the shooting. He requested a moment of silence for Ta-Rance Armon Smith.

SHOW CAUSE HEARINGS

- Comment on Scheduled Show Cause Hearings:

No Scheduled Show Cause Hearing

PUBLIC COMMENT ON LEGISLATIVE MATTERS

- Public Comment on Legislative Matters:

Legislative Matters included the following public hearings:

There were no Scheduled Public Hearings

William Hubbell of 3916 Wedgewood questioned the need for a public hearing regarding the Cesar Chavez memorial.

John Pollard of 1718 Blair spoke in support of the pedestrian walkway. He also spoke about the Cesar Chavez memorial.

Darnell E. Oldham Sr. of 3815 Berwick Dr spoke about not having a public hearing for the Cesar Chavez memorial and adopting it as soon as possible.

PUBLIC COMMENT

ON CITY GOVERNMENT RELATED MATTERS:

Jim Humble of 604 E. Fredrick spoke about the problems he is having with a business near his home.

Bob Gray of 422 Dadson spoke in support of the Teen Challenge Program. He also spoke in support of the Ottawa Tower Building being used for the homeless.

William Hubbell of 3916 Wedgewood spoke about Councilmembers arriving late to the Council Meetings.

Frank S. Curtis X of 1137 West Allegan spoke about citizens being harassed at a local store by the Police.

Russell Terry of 121 E. Mt Hope spoke about concerns that he has with the way his home has been assessed.

David Dudley of N. Martin Luther King Jr. Blvd. spoke about issues that he has with the Code Compliance and grass and weed assessments that were placed on his taxes.

John Pollard of 1718 Blair spoke about the amendment to the Mayor's Executive Plan. He spoke about alleged Charter violations. He spoke about a city vehicle that was seen parked at a residence in Grand Ledge over the weekend.

Darnell E. Oldham Sr. of 3815 Berwick Dr spoke about an article in the City Pulse. He spoke about the South Side Community Center.

Charlene Decker of 2711 Pleasant Grove spoke in opposition to the Michigan Avenue beautification project and the traffic circle proposed at Michigan and Washington Square. She spoke in support of using the Ottawa Towers building as a shelter for the Homeless.

LEGISLATIVE MATTERS

REFERRAL OF PUBLIC HEARINGS

There were no Public Hearings

RESOLUTIONS

RESOLUTION # 044

BY COUNCILMEMBER TIM KALTENBACH
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Memorial Review Board received an application from the Cesar Chavez Commission requesting authorization for the establishment of a permanent Memorial Statue in honor of Cesar Chavez; and

WHEREAS, the Memorial Review Board made a recommendation to the Committee on General Services to grant the request for the Cesar Chavez Memorial Statue; and

WHEREAS, In accordance to Chapter 1034.90 of the Code of Ordinances, a public hearing on the application shall be held in consideration of the memorial proposal;

NOW, THEREFORE, BE IT RESOLVED that a public hearing be held, at the City Council Meeting held on Monday, **April 9, 2007**, at 7:00 p.m. in the City Council Chambers on the tenth floor of City Hall, in consideration of the request to establish a permanent Memorial Statue in honor of Cesar Chavez on the front corridor of City Hall at the corner of Michigan and Capitol Avenue.

By Councilmember Kaltenbach

To accept a substitute resolution for the one originally placed in the packet to amend the Public Hearing date to April 9, 2007

Motion Carried

By Councilmember Kaltenbach

To place an affirmative roll on the amended resolution

Motion Carried

RESOLUTION # 045

BY THE COMMITTEE ON DEVELOPMENT AND PLANNING
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

Act-8-06, 200 and 222 N. Washington Square, Pedestrian Walkway

WHEREAS, Katherine Meninga, of Capitol Bancorp, Ltd., 222 N. Washington Square, Suite 250, requests an easement for the construction and use of one (1) overhead pedestrian walkway to connect the existing buildings at 200 and 222 N. Washington Square; and

WHEREAS, the proposed pedestrian bridge will connect the Capitol Bancorp and Phoenix Buildings at the third floor; and

WHEREAS, connecting these buildings will allow more flexibility and greater opportunity for development of downtown businesses; and

WHEREAS, the proposed bridge will be placed approximately 23' above the existing public walkway and will not be open to the public; and

WHEREAS, the estimated fair market value of the easement air space is \$1,500; and

WHEREAS, the Planning Board at its October 17, 2006 meeting found, based on its review of Act-8-06 in accordance with its Act 285 Review procedures, that the location, character, and extent of this proposal is consistent with the Central Lansing Comprehensive Plan, adopted in 1999; and

WHEREAS, on October 17, 2006, the Planning Board voted unanimously (6-0) to recommend approval of Act-8-06, for authorization to construct a pedestrian bridge to connect the two buildings at 200 and 222 N. Washington Square subject to the condition that there be no parking of motor vehicles on this bridge; and

WHEREAS, the Committee on Development and Planning reviewed the report and recommendation of the Planning Board and concurs therewith;

NOW, THEREFORE, BE IT RESOLVED, that the Lansing City Council hereby approves Act-8-06, and grants an easement to permit the construction of a pedestrian bridge to connect the buildings at 200 and 222 N. Washington Square in an area legally described as:

An area of space located between the two horizontally oriented planes the first starting at a point in space located $\pm 22'11.5"$ up directly above the northern boundary of the Pedestrian Walkway that is $8'4"$ west from a point in space located $\pm 22'11.5"$ up directly above the northern boundary of the Pedestrian Walkway and directly south from the exterior southeast corner of the current location of the Phoenix Building, hence $9'0"$ west $\pm 22'11.5"$ above the north boundary of the Pedestrian Walkway, hence $20'0"$ south along a line that is level and horizontal to a point $\pm 22'11.5"$ directly above the southern boundary of the Pedestrian Walkway, hence $9'0"$ east along a level and horizontally line located $\pm 22'11.5"$ above the south boundary of Pedestrian Walkway,

hence $\pm 20'0"$ north along a line that is level, horizontal to the point of beginning of the first plane; the second horizontal plane begins $14'4"$ directly above the point of beginning of the first plane, hence $9'0"$ west $\pm 37'3.5"$ above the north boundary of the Pedestrian Walkway, hence $20'0"$ south along a line that is level and horizontal to a point $\pm 37'3.5"$ directly above the southern boundary of the Pedestrian Walkway, hence $9'0"$ east along a level and horizontally line located $\pm 37'3.5"$ above the south boundary of Pedestrian Walkway, hence $\pm 20'0"$ north along a line that is level and horizontal to the point of beginning of the second plane.

BE IT FURTHER RESOLVED, that prior to commencement of construction, Capitol Bancorp shall enter into an easement agreement for use of the air space necessary for the construction, use, and maintenance of the proposed pedestrian bridge in a form which is acceptable to the City Attorney.

BE IT FURTHER RESOLVED, the agreement shall provide that:

1. Bancorp, at its sole cost and expense, shall construct, install and maintain the pedway in conformance with the building specifications as approved by the City's Planning and Development Department.
2. Bancorp shall provide as-built (conforming to construction) plans and diagrams of the proposed pedestrian bridge to the Building Safety Office and the Department of Public Service.
3. Bancorp shall, from this date forward, maintain the easement area and structure thereon including the access doorways, stairways, signs and lights in a safe, sanitary and good condition and repair.
4. Use of the pedway shall be confined to pedestrian traffic and no vehicles of any sort shall be placed upon or driven on the pedway.
5. Bancorp shall carry comprehensive general liability insurance covering its legal liability for claims involving personal injury, death and property damage incurred on or about the easement property.
6. Bancorp agrees to defend, indemnify and hold the City, its officers, agents and employees harmless against and from all claims, losses, damages, costs and expenses, including attorney fees, because of personal injury or death of persons or destruction of property resulting from or arising out of Bancorp's use and exercise of the easement, rights and privileges in the easement area.
7. If Bancorp transfers one or both of the properties attached to the pedway, the transferee shall, as a condition of transfer, agree to and become liable for all of the terms, conditions, and covenants contained in the easement agreement.
8. The agreement shall be binding on and inure to the benefit of the respective successors and permitted assigns of the parties.
9. The easement agreement and the privileges granted by it shall terminate when the purposes for which it was created cease to exist or are abandoned by Bancorp.
10. The City, shall reserve the right to grant easements to any governmental unit, public body and/or utility company for the construction, installation, maintenance, repair, relocations, modification, extension or alteration of sanitary sewers, storm drainage systems, fire protection installations, gas, water or power and telephone lines so long as such utility lines are installed underground and do not interfere with any use of the easement area for its intended purpose.

11. The City shall retain and continue to enjoy the use of the surface underneath the easement for any and all purposes which do not interfere with or prevent the use by Bancorp of the easement. This includes the right to build upon or use the surface of the area underneath the easement for drainage ditches, private streets, roads, driveways, alleys walks, gardens, lawns, planting or parking areas and other like use.

BE IT FURTHER RESOLVED, that the Mayor, on behalf of the City, is authorized to sign and execute any documents necessary to effectuate the aforementioned easement agreement, subject to its approval as to form by the City Attorney.

BE IT FINALLY RESOLVED, the City Clerk, within 30 days hereafter, shall forward certified copies of this resolution to the Ingham County Register of Deeds for recording, and upon return, transmit a copy of the recorded resolution to the Michigan Department of Labor and Economic Growth, Subdivision Control Unit, to the Department of Public Service, the Planning and Assessor's Offices, and to the applicant.

By Councilmember Jeffries

Motion Carried

REPORTS FROM COUNCIL COMMITTEES

There were no Committee Reports

ORDINANCES FOR INTRODUCTION

There were no Ordinances for Introduction

ORDINANCES FOR PASSAGE

There were no Ordinances for Passage

REPORTS FROM CITY OFFICERS, BOARDS, AND COMMISSIONS; COMMUNICATIONS AND PETITIONS; AND OTHER CITY RELATED MATTERS

By Councilmember Jeffries that all items be considered as being read in full and that President Leeman make the appropriate referrals

Motion Carried

Reports from City Officers, Board and Commissions:

- a. Letter from the City Clerk submitting a list of expiring City Board, Authority, and Commission appointments and a listing of appointees and vacancies by Board

REFERRED TO THE COMMITTEE OF THE WHOLE

- b. Letter from the City Clerk submitting minutes of Boards and Authorities placed on file in the City Clerk's Office

RECEIVED AND PLACED ON FILE

- c. Letter from Barbara Roberts Mason, Chairperson of Lansing Regional Sister Cities Commission, regarding funding for the program and submitting an estimated budget for the next fiscal year

REFERRED TO THE COMMITTEE OF THE WHOLE AND REFERRED TO THE MAYOR

d. Letters from the Mayor re:

- i. Appointment of Darlene "Dusty" Fancher to the Park Board for a 1st Ward Term to Expire June 30, 2009

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES

- ii. Michigan Transportation Fund Bond, Series 2007 Limited Tax General Obligation (LTGO) for the 200 and 300 blocks of N. Washington Avenue and Ineligible CSO Projects

REFERRED TO THE COMMITTEE ON WAYS AND MEANS AND THE INTERNAL AUDITOR

- iii. Authorization of Matters Related to the Sale of Michigan Transportation Fund Bonds, Series 2007 Limited Tax General Obligation (LTGO) for the 200 and 300 blocks of N. Washington Avenue and Ineligible CSO Projects

REFERRED TO THE COMMITTEE ON WAYS AND MEANS AND THE INTERNAL AUDITOR

- iv. Issuance and Sale of a Combined Sewer Overflow Limited Tax General Obligation (LTGO) Bond, Phase IV, Segment 4, Series 2007 for Sub-areas 020, 018E, 013NW and Downtown

REFERRED TO THE COMMITTEE ON WAYS AND MEANS AND THE INTERNAL AUDITOR

- v. Refunding Bonds, Series 2007 Unlimited Tax General Obligation (UTGO)-Fire Station Improvements

REFERRED TO THE COMMITTEE ON WAYS AND MEANS AND THE INTERNAL AUDITOR

- vi. Refunding of City of Lansing Building Authority Bonds, Series 2003A and Approval of Refunding Agreement

REFERRED TO THE COMMITTEE ON WAYS AND MEANS AND THE INTERNAL AUDITOR

- * Amendments to the Executive Management Fringe Benefit Plan effective July 1, 2007

SUSPENSION ITEM-REFERRED TO THE COMMITTEE ON WAYS AND MEANS AND THE INTERNAL AUDITOR

Communications and Petitions, and Other City Related Matters:

- a. Letter from the State of Michigan Department of Labor & Economic Growth Liquor Control Commission providing notice of the cancellation of a request filed by Six Rivers, Inc. to Transfer Ownership of a 2006 Class C & SDM (with Sunday sales) license from New China, Inc. and transfer location from escrow at 6250 S. Cedar St., Suite 1A to 336 N. Cedar Street and request for a new dance-entertainment permit

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

- b. Letter from the State of Michigan Department of Environmental Quality providing Public Notice of a 20-day period for written comment regarding the City of Lansing's application for a permit for construction projects at the Beech Street crossing of the Red Cedar River

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES AND REFERRED TO THE PUBLIC SERVICE DEPARTMENT

- c. Affidavit of Disclosure filed by Bradley J. Lilly, Firefighter for

the City of Lansing

REFERRED TO THE BOARD OF ETHICS

- d. Affidavits of Disclosure (2) filed by Paul H. Baerman, Member of the Lansing Board of Public Service

RECEIVED AND PLACED ON FILE

- e. Letter from Comcast Cable providing notice of changes in the Cable Latino Package effective March 21, 2007

RECEIVED AND PLACED ON FILE

MOTION OF EXCUSED ABSENCE

By Councilmember Williams

To excuse Councilmember Quinney from tonight's proceedings

Motion Carried

REMARKS BY COUNCILMEMBERS

By Councilmember Allen

To return to the order of Consideration of Late Items

Motion carried

CONSIDERATION OF LATE ITEMS

By Councilmember Allen

To suspend City Council Rule #11 to allow for Consideration of Late Items

Motion carried

From Councilmember Allen: A letter from Susan Collins Adams, Director of Commercial Operations for Century 21 Looking Glass, regarding the progress of the opening of the Blu Gardenia to be located at 6810 S. Cedar St.

REFERRED TO THE COMMITTEE ON GENERAL SERVICES AND
REFERRED TO THE CITY ATTORNEY

REMARKS BY COUNCILMEMBERS

Councilmember Kaltenbach asked if the Administration if they could look into the light pole at the Family Dollar on Martin Luther King Jr. Blvd. He asked the Administration if they could please approve the request for the name change of the alley that runs behind the Michigan Dental Association to "Smile On Lane." He said that he did not believe the Council Rules prohibit Councilmembers from being allowed to respond to comments made by speakers during public comment. He said that we should be able to respond to comments made that reflect items that pertain to City business.

City Attorney Smith said that the rules regarding Councilmembers speaking after a speaker spoke was never addressed during the rule change process.

Councilmember Allen said that the rules should reflect this subject specifically because of what took place this evening.

Councilmember Dunbar said that there are times when we have to stop the speaker and ask them questions have them give additional

information regarding a meeting or issue that we may have missed making at the beginning of the meeting. She said that waiting until the end of the meeting does not always work because people do not always watch the full meeting. She reiterated that no developer was denied anything because of the fact that they are a person of color. It would have cost the City more money to have a place built than it will cost us for sharing the Hill Center Building.

Councilmember Williams stated that he called the point of order because of how the meeting was being conducted.

President Leeman thanked the City Employees who took care of the graffiti issue on the Pennsylvania Bridge.

REMARKS BY THE MAYOR OR EXECUTIVE ASSISTANT

Jerry Ambrose, Executive Assistant to Mayor Bernero thanked Council for accepting the late item for the Executive Management Fringe Benefit Plan. He addressed the health care benefits portion of the plan. He spoke about the proposed spending plan for next year's budget. He said Mayor Bernero will have the proposed budget to the Council at the end of March. He reviewed the status of the house on Kalamazoo and Foster.

ADJOURNED TIME 8:52 P.M.

CHRIS SWOPE, CITY CLERK



**OFFICIAL PROCEEDINGS OF
THE CITY COUNCIL
CITY OF LANSING
PROCEEDINGS OF APRIL 2, 2007**

City Council Chambers
Lansing, Michigan

The City Council of the City of Lansing met in regular session and was called to order at 7:00 p.m. by President Leeman.

PRESENT: Councilmembers Dunbar, Jeffries, Kaltenbach, Leeman, Quinney, Wood

ABSENT: Councilmembers Allen and Williams

Meditation and Pledge of Allegiance led by President Leeman

APPROVAL OF MINUTES

By Councilmember Jeffries

To approve the printed Council Proceedings of March 26, 2007

Motion carried

CONSIDERATION OF LATE ITEMS

By Vice President Jeffries

To suspend City Council Rule #11 to allow for Consideration of Late Items

Motion carried

The following items were added to the agenda:

1. From Councilmember Jeffries; Introduction of an Ordinance Amending Chapter 884, Payment of Service Charge in Lieu of Taxes (PILOT) for property known as the "Abigail," located at 715 W. Willow and setting a Public Hearing

2. From Councilmember Wood; Rescinding Resolution #86 adopted March 26, 2007; Setting a public hearing for April 9, 2007 in consideration of an amendment to the Code of Ordinances by adding Chapter 811 establishing video service provider fees

TABLED ITEMS

SPECIAL CEREMONIES

- Special Ceremonies

There were no Special Ceremonies

**COUNCILMEMBERS' COMMENTS
AND CITY CLERK'S ANNOUNCEMENTS:**

Councilmember Dunbar announced that the BoarsHead Theater will be having a 3 star production on Tuesday at 7:00 p.m. All proceeds will go to the Theater.

Councilmember Wood announced that the YMCA will be holding their 70th Annual Good Friday breakfast at Holiday Inn South at 7:00 a.m. Tickets are \$10.00. Call 484-6464 ext. 11 for more information. The Westside Neighborhood Association is having their Spring Festival and silent auction on Friday, April 27th from 5:00 p.m. to 8:00 p.m. at the VFW Post 701 at 123 N. Rosemary. Tickets are \$15.00 and you can

call Peggy at 484-2820 for more information. Capitol City Community Action Network held a community forum at Trinity AME Church this past weekend. The Genesee Neighborhood Association will not be meeting on Thursday and their next meeting will be the first Thursday in May.

President Leeman announced that the Eastside Neighborhood Organization will hold their monthly meeting on Wednesday at Foster Community Center in Room 213.

SPEAKER REGISTRATION FOR PUBLIC COMMENT

(Clerk Swope announced that the public comment registration form(s) for those intending to address Council on legislative or City government matters will be collected and that only those persons who have fully completed the form(s) will be permitted to speak.)

MAYOR'S COMMENTS

Jerry Ambrose, Executive Assistant to Mayor Bernero, spoke about the "Got Chess" week that took place at City Hall last week. He congratulated everyone for a job well done on the event. He spoke about the Cross Town Baseball Showdown between Michigan State University and the Lansing Lugnuts. He stated that opening day for the Lugnuts is April 5 at Oldsmobile Park.

President Leeman wished the Mayor a Happy Belated Birthday.

SHOW CAUSE HEARINGS

- Comment on Scheduled Show Cause Hearings:

There were no scheduled Show Cause Hearings

**PUBLIC COMMENT
ON LEGISLATIVE MATTERS**

- Public Comment on Legislative Matters:

Legislative Matters included the following public hearings:

1. In consideration of PPE-1-07; Parcels B&D of MSU University Corporate Research Park, Application for P.A. 328 Personal Property Tax Exemption filed by TechSmith Corporation
2. Informal Informational Public Hearing; In consideration of Introduction of an Ordinance to Amend the Code of Ordinances of the City of Lansing, MI, by adding Chapter 811 to the Lansing Codified Ordinances authorizing a New Video Service Franchise Agreement with Arialink Telecom, LLC and establishing video service provider fees in conformance with, and pursuant to, the newly enacted Uniform Video Services Local Franchise Act

Councilmember Jeffries gave a brief overview of Public Hearing #1.

Kara Wood, of the Economic Development Corporation, gave additional information for Public Hearing #1.

City Attorney Smith gave a brief overview of Public Hearing #2.

John Pollard of 1718 Blair spoke about concerns that he has with any

tax break given to businesses.

Darnell E. Oldham Sr. of 3815 Berwick Dr spoke about how the City should have a clause in the contracts for tax abatements that states that any business who does not comply with the agreement will have to pay back the funds allotted to them.

Christine Timmon of 2519 Washington spoke in support of TechSmith's request for a tax break. She also spoke about concerns that she has with Arialink.

Don Novrse of 3635 Scholar Ln. stated that he is the Vice President of Finance for TechSmith. He spoke in support of the request for the PPE for TechSmith and gave some information on the company.

Bill Hamilton of 1855 Haslett Rd said that he is the President of TechSmith and he asked Council to please approve the request.

LEGISLATIVE MATTERS

REFERRAL OF PUBLIC HEARINGS

1. In consideration of PPE-1-07; Parcels B&D of MSU University Corporate Research Park, Application for P.A. 28 Personal Property Tax Exemption filed by TechSmith Corporation

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

2. Informal Informational Public Hearing; In consideration of Introduction of an Ordinance to Amend the Code of Ordinances of the City of Lansing, MI, by adding Chapter 811 to the Lansing Codified Ordinances authorizing a New Video Service Franchise Agreement with Arialink Telecom, LLC and establishing video service provider fees in conformance with, and pursuant to, the newly enacted Uniform Video Services Local Franchise Act

REFERRED TO THE COMMITTEE OF THE WHOLE

PUBLIC COMMENT ON CITY GOVERNMENT RELATED MATTERS:

Jerry Blakslee of 725 Moores River Dr. spoke about a dog allegedly running loose on park property.

Fonda Brewer-Williams of 4734 Canyon Trail spoke about her campaign for Waverly School Board.

Lee Brewer of 431 N. Cedar St spoke in support of his daughter Fonda for Waverly School Board.

Stan Shuck of 818 Cooper spoke about the upgrade to Oldsmobile Park being on the backs of the taxpayers. He also spoke about the Michigan Avenue construction project and how it will affect the parades that take place in Lansing.

Frank S. Curtis X of 1137 West Allegan spoke about the recent report of alleged racial profiling by the Lansing Police Department.

John Pollard of 1718 Blair spoke about the upcoming court hearing for Wolverine Pipeline. He also spoke about the lease agreements that the City has with various organizations.

Rev. Nathan Dixon of W. Holmes Rd thanked the Councilmembers for attending the town hall meeting. He spoke about establishing a day of prayer for the City of Lansing.

Rina Risper of 503 W. Grand River spoke about the need to continue the town hall forums to keep Council updated on various issues.

Darnell E. Oldham Sr. of 3815 Berwick Dr spoke about concerns that he has with the proposed location of the Southside Community Center.

Don Dean of 1321 E. North St spoke about concerns that he has with the proposed fountain that will be put in at Michigan Avenue and Washington Square.

Christine Timmon of 2519 Washington spoke about concerns that she has with the Potter Park Zoo lease.

Charlene Decker of 2711 Pleasant Grove thanked some Councilmembers for standing strong with the Marina and the Parks Mileage issue.

William Hubbell of 3916 Wedgewood spoke about not having Public Hearings when a Council meeting is scheduled on a Thursday afternoon.

LEGISLATIVE MATTERS

RESOLUTIONS

RESOLUTION #088

BY THE GENERAL SERVICES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Memorial Review Board received an application for renaming the East Grand River Bridge to the Robert P. Busby Memorial Bridge; and

Whereas, the Memorial Review Board considered the request for the renaming of the East Grand River Bridge to the Robert P. Busby Memorial Bridge and with an unanimous affirmative vote referred the matter to the Committee on General Services recommending approval of the application; and

WHEREAS, the Committee on General Services met on March 26, 2007, in consideration of this request; and

WHEREAS, the Committee voted to hold a public hearing on this matter to provide an opportunity to obtain input from the residents of Lansing;

NOW, THEREFORE, BE IT RESOLVED that a public hearing be held on Monday, May 7, 2007 at 7:00 PM in the City of Lansing Council Chambers, 124 W. Michigan in consideration renaming the east Grand River Bridge to the Robert P. Busby Memorial Bridge.

By Councilmember Kaltenbach

Motion Carried

RESOLUTION #089

BY THE GENERAL SERVICES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the City of Lansing Public Service Department has scheduled in the 2007 construction season, the Washington Square Streetscape project; and

Whereas, the project will reconstruct the Washington Square pedestrian mall area between Ottawa Street and Shiawassee Street to include a roadway and streetscape elements including tree planters, rain gardens, concrete sidewalk and brick pavers; and

WHEREAS, this project was recommended for 2007 construction in the Mayor's Downtown 2020 Task Force Report; and

WHEREAS, it is in the best interest of the adjacent property owners and the City of Lansing to complete the work in one construction season and to have some work activities done in the evenings and on weekends, outside of regular business hours; and

WHEREAS, allowing the contractor to work from 6:00 AM to 9:00 PM Monday through Saturday and from 8:00 AM to 6:00 PM on Sunday, it would help to meet the needs of the property owners and the aggressive time schedule;

NOW, THEREFORE, BE IT RESOLVED that a public hearing be held on Monday, May 7, 2007 at 7:00 PM in the City of Lansing Council Chambers, 124 W. Michigan in consideration of the request by Public Service for an issuance of a waiver of the noise ordinance to allow construction on Washington Square between Ottawa Street and Shiawassee Street from 6:00 AM to 9:00 PM Monday through Saturday and 8:00 AM to 6:00 PM on Sunday.

By Councilmember Kaltenbach

Motion Carried

RESOLUTION #090

BY COUNCILMEMBER LEEMAN

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Lansing City Council adopted resolution #86 setting a public hearing for April 9, 2007, at 7:00 p.m. in the City Council Chambers, 10th Floor City Hall, 124 W. Michigan Avenue, Lansing, Michigan in consideration of an amendment to the Code of Ordinances by adding Chapter 811 establishing video service provider fees in conformance with, and pursuant to, the newly enacted Uniform Video Services Local Franchise Act; and

WHEREAS, a public hearing date has been set for April 5, 2007 at 1:30 p.m. with an additional informational public hearing set for April 2, 2007 at 7:00 p.m.

NOW, THEREFORE, BE IT RESOLVED that resolution #86 adopted for the purpose of introducing and setting a public hearing for April 9, 2007 at 7:00 p.m. in the City Council Chambers, 10th Floor City Hall, 124 W. Michigan Avenue, Lansing, Michigan in consideration of an amendment to the Code of Ordinances by adding Chapter 811 be rescinded;

BE IT FINALLY RESOLVED, pursuant to the written request of the Council President and Vice President, and the authority granted to them under charter Section 3-202.1, that a special meeting of City Council be, and hereby is, set for Thursday, April 5, 2007 at 1:30 p.m. in the City Council Chambers, 10th Floor, City Hall, 124 W. Michigan Avenue, Lansing, Michigan in consideration of an amendment to the Code of Ordinances by adding Chapter 811 establishing video service provider fees, in conformance with, and pursuant to, the newly enacted Uniform Video Services Local Franchise Authority.

By Councilmember Jeffries

Motion Carried

RESOLUTION #091

BY THE COMMITTEE OF THE WHOLE

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

Act-3-06, 206 S. Washington Avenue, Outdoor Seating in Right-of-Way

WHEREAS, MKE, Inc., 206 S. Washington Avenue, requests permission to provide outdoor seating in the S. Washington Avenue right of way in front of the restaurant at 206 S. Washington Avenue; and

WHEREAS, the proposed outdoor seating area will accommodate tables along the building frontage; and

WHEREAS, on July 5, 2006, the Planning Board reviewed the request through its Act 285 procedures, and found based on testimony and evidence that:

1. the use of the outdoor eating area as incidental to a restaurant would be in keeping with the use being advanced in the *Central Lansing Comprehensive Plan*,
2. the proposed use is consistent with the revitalization of Downtown, and is similar to that approved for 621 E. Michigan Avenue,
3. given its high visibility, pleasing outdoor activities at this location could be of significance in attracting people to Downtown Lansing and aid in its revitalization,
4. approval of the request could meet the intent of Act 285, with respect to location, character, and extent considerations, provided that it can be done in a manner that provides adequate safeguards to the City for reversion and pedestrian circulation; and

WHEREAS, on July 5, 2006, the Planning Board unanimously (4-0) recommended approval of Act-3-06, to allow seasonal outdoor seating within the ROW at 206 S. Washington Avenue by annual permit, with conditions; and

WHEREAS, the Committee on Development and Planning reviewed the report and recommendation of the Planning Board, and concurs therewith;

NOW, THEREFORE BE IT RESOLVED the Lansing City Council hereby approves Act-3-06, the request by MKE, Inc., to allow an irregularly shaped outdoor seating area within an eighteen (18) foot long by fourteen (14) foot wide portion of the public right-of-way abutting 206 S. Washington Avenue by annual permit, in accordance with Section V.B.2 & 3 of the Downtown Mall and Environs procedures, provided that:

1. an unobstructed pedestrian walkway, a minimum of eight (8) feet in width be maintained and adequate space near the curb be provided for entering and exiting of parked vehicles,
2. all tables, chairs and accessory items be removed during the off-season and for construction and/or tree maintenance at the subject location,
3. no items be anchored, fixed or used in a manner which damages or alter the sidewalk or any public improvements located in the right-of-way,
4. the area be properly maintained in a clean, safe, and orderly manner at all times,
5. the applicant comply with all applicable noise and parking regulations,
6. the security requirements of the State of Michigan Liquor Control Commission be met,
7. the applicant indemnify and hold the City harmless to for all liability issues, and name the City of Lansing coinsured with respect to the right-of-way area.

BE IT FURTHER RESOLVED, that the applicant may renew the permit in subsequent years provided that all of the conditions cited above are followed and reaffirmed,

BE IT FURTHER RESOLVED, that the city retains priority and control over its right of way and may revoke this permit at any time it deems necessary to further the public's interest or any other city project,

BE IT FINALLY RESOLVED, that the administration, on behalf of the City, is authorized to sign and execute all documents necessary to effectuate the aforementioned annual permit subject to their prior

approval as to form by the City Attorney.

By Councilmember Jeffries

Motion Carried

REPORTS FROM COUNCIL COMMITTEES

There were no Committee Reports

ORDINANCES FOR INTRODUCTION

INTRODUCTION OF ORDINANCE READOPTING THE CODIFIED ORDINANCES OF THE CITY OF LANSING

By Councilmember Kaltenbach, Chair of the Committee of on General Services

That an Ordinance to Amend the Code of Ordinances of the City of Lansing, MI, readopting the codified ordinances of the City of Lansing, was introduced by Councilmember Kaltenbach, read a first and second time by its title and referred to the Committee on General Services

RESOLUTION #092 RESOLUTION SETTING PUBLIC HEARING By Councilmember Kaltenbach

RESOLVED BY THE CITY COUNCIL, CITY OF LANSING, that a public hearing be set for Monday, May 21, 2007 at 7:00 P.M. in the City Council Chambers, 10th Floor Lansing City Hall, 124 W. Michigan Ave., Lansing, MI for the purpose of considering an Ordinance readopting the codified ordinances of the City of Lansing

Interested Persons are invited to attend this Public Hearing

By Councilmember Kaltenbach

Motion Carried

INTRODUCTION OF ORDINANCE AMENDING CHAPTER 10, SECTION 1026.07

By Councilmember Wood, Chair of the Committee on Ways and Means

That an Ordinance to Amend the Code of Ordinances of the City of Lansing, MI, Amending Chapter 10, Section 1026.07, by providing that interest on installment payments for Special Assessments shall be determined by resolution of City Council under Special Assessment Ordinance Chapter 1026, was introduced by Councilmember Wood, read a first and second time by its title and referred to the Committee on Ways and Means

RESOLUTION #093 RESOLUTION SETTING PUBLIC HEARING By Councilmember Wood

RESOLVED BY THE CITY COUNCIL, CITY OF LANSING, that a public hearing be set for Monday, April 16, 2007 at 7:00 P.M. in the City Council Chambers, 10th Floor Lansing City Hall, 124 W. Michigan Ave., Lansing, MI for the purpose of Amending Chapter 10, Section 1026.07, by providing that interest on installment payments for Special Assessments shall be determined by resolution of City Council under Special Assessment Ordinance Chapter 1026

Interested Persons are invited to attend this Public Hearing

By Councilmember Wood

Motion Carried

INTRODUCTION OF ORDINANCE AMENDING CHAPTER 884 BY ADDING A NEW SECTION, SECTION 884.11 THE ABIGAIL PILOT FOR PROPERTY AT 715 W. WILLOW

By Councilmember Jeffries:

That an Ordinance to amend the Code of Ordinances of the City of Lansing by Amending Chapter 884, and adding a new section 884.11 for the purpose of providing a Payment of Service Charge in Lieu of Taxes (PILOT) for forty-four low or moderate income elderly dwelling units in a project know as the "Abigail" located at 715 W. Willow, pursuant to the provisions of the State Housing Development Authority Act of 1966, as amended was introduced by Councilmember Jeffries, read a first and second time by its title and referred to the Committee on Development and Planning.

RESOLUTION #094 RESOLUTION SETTING PUBLIC HEARING By Councilmember Jeffries

RESOLVED BY THE CITY COUNCIL, CITY OF LANSING, that a public hearing be set for April 23, 2007 at 7:00 P.M. in the City Council Chambers, 10th Floor Lansing City Hall, 124 W. Michigan Ave., Lansing, MI for the purpose of considering an Ordinance to amend the Code of Ordinances of the City of Lansing by Amending Chapter 884, and adding a new section 884.11 for the purpose of providing a Payment of Service Charge in Lieu of Taxes (PILOT) for forty-four low or moderate income elderly dwelling units in a project know as the "Abigail", located at 715 W. Willow, pursuant to the provisions of the State Housing Development Authority Act of 1966, as amended

By Councilmember Jeffries

Motion Carried

ORDINANCES FOR PASSAGE

There were no Ordinances for Passage

REPORTS FROM CITY OFFICERS, BOARDS, AND COMMISSIONS; COMMUNICATIONS AND PETITIONS; AND OTHER CITY RELATED MATTERS

By Councilmember Jeffries that all items be considered as being read in full and that President Leeman make the appropriate referrals

Motion Carried

• Reports from City Officers, Board and Commissions:

- a. Letter from the City Clerk providing notice to Anthony Pryer of Pryers Towing of the Denial of a request to own or operate a Wrecker Service license in the City of Lansing by the Lansing Police Department

RECEIVED AND PLACED ON FILE

- b. Letter from the City Clerk submitting minutes of Boards and Authorities laced on file in the City Clerk's Office

RECEIVED AND PLACED ON FILE

- c. Elected Officers Compensation Commission (EOCC) 2007 Recommendations

REFERRED TO THE COMMITTEE OF THE WHOLE

- d. Letters from the Mayor re:
- i. Planning Board recommendation re: PRD-1-2006; A 6.6 acres site located in the 5300 Block of Wise Rd., a request for a Planned Residential Development filed by New Faith Gardens, LLC to allow for construction of 24 Townhomes units and 24 senior citizen housing units

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

- ii. Correction to ACT-3-06; 206 S. Washington, Outdoor Seating in Right-of-Way

RECEIVED AND PLACED ON FILE

• Communications and Petitions, and Other City Related Matters:

- a. Letter of appreciation from Meegan Holland of the Creole Gallery to the Lansing Police Department

President Leeman requested that City Clerk Swope read the following letter into the record:

March 13, 2007

To: Lansing City Council

I'm writing to thank the Lansing Police Department for devoting enormous resources toward solving the murder of Robert Busby, my life and business partner at Creole Gallery.

It started with the initial call by Officer Matt Krumbach, who quickly sensed that something was wrong. His interviewing skills and gut instincts hastened the investigation, prompting him to call detectives sooner than usual.

We dealt with many competent detectives, including Det. Dave Emmons, who delivered difficult news with honesty and compassion throughout the investigation. Later, Det. Patti Bailey was particularly wonderful in helping us wade through the potential fraud issues. Finally, Det. James Gill conducted a fast, efficient investigation that saved a lot of grief for the family.

I've heard of other heroic efforts, including those of Officers Chris Devlin and Ron Seyka, who risked being shot as they closed in on the man who murdered Robert.

This comes on the heels of a robbery/vandalism incident at my home in January. Two suspects have been arrested, and I'm grateful to Det. Jim Thornburg for connecting them to my break-in.

I've had more than my share of contact with the Lansing Police in 2007. I'd like to publicly acknowledge the department for its professionalism.

Sincerely,
Meegan Holland
Creole Gallery
1218 Turner
Lansing MI 48906

REFERRED TO THE POLICE DEPARTMENT

- b. Application for Community Funding filed by the Native

American Arts and Crafts Council for their Riverbank Traditional Pow Wow, Native American Cultural Event to be held June 15-17, 2007

REFERRED TO GENERAL SERVICES

- c. Letters in opposition to the Mayor's proposed Marina funding submitted by:
- Doris Wilcox of 3510 Lucie St.
 - John R. Wilcox of 3510 Lucie
 - James Hepfer of 917 Sparrow Ave.
 - Debbie B. Braudis, no address given
 - Dayle Benjamin, President of the Edmore Park Neighborhood Association
 - Charlyss Brandon, no address given
 - William P. Brandon, no address given
 - Cary Anderson, no address given
 - Tonya B., no address given

REFERRED TO THE PARKS DEPARTMENT

- d. Letters from Comcast Cable providing notice of channel lineup changes effective April 26, 2007 and May 1, 2007

RECEIVED AND PLACED ON FILE

- e. Invitation from the Thomas M. Cooley Law School to participate in their Community Fair to be held May 4, 2007

RECEIVED AND PLACED ON FILE

- f. Letter from the State of Michigan Liquor Control Commission Department of Consumer and Industry Services providing notice of an impending investigation on a 2006 Escrowed Class C Licensed business located at 1600 Ormond

REFERRED TO GENERAL SERVICES

- g. Letter from Justin Sleight of Central United Methodist Church submitting a petition containing one thousand six-hundred sixty-seven (1,667) signatures in support of "saving the Oliver Towers Building, located at 310 Seymour, so that it can continue to be used for housing the poor, and that a faith-based non-profit corporation will be formed to maintain and supervise the project."

REFERRED TO THE PLANNING AND DEVELOPMENT DEPARTMENT AND REFERRED TO THE COMMITTEE ON PLANNING AND DEVELOPMENT AND REFERRED TO THE MAYOR AND REFERRED TO THE HUMAN RELATIONS COMMUNITY SERVICES DEPARTMENT

- h. Letter from attorneys on behalf of Ms. Carol Opliger of 1419 Center St. regarding sewer damage to her property from the CSO Project and supporting documents for reimbursement costs

REFERRED TO THE CITY ATTORNEY AND REFERRED TO THE PUBLIC SERVICE DEPARTMENT

MOTION OF EXCUSED ABSENCE

By Councilmember Jeffries

To excuse Councilmembers Allen and Williams from tonight's proceedings

Motion Carried

REMARKS BY COUNCILMEMBERS

Councilmember Quinney asked the Administration if they could look into the condition of the pavement on Holmes Rd between Martin Luther King and Waverly. He said this is a repaving issue that needs to be addressed.

Councilmember Dunbar stated that the Planning Committee will be meeting at 11:00 a.m. and the Public Service Committee will be meeting at 10:00 a.m.

Councilmember Wood asked the Administration to please prepare a street paving report showing which streets will be paved during construction season. She asked if possible if they could please have this report ready for the next Committee of the Whole Meeting.

Councilmember Jeffries asked the Administration if it was possible to allow the contact person at Lansing Police Department to send over copies of the Budget Hearing Schedule so that it may be forwarded on to the Neighborhood Association Presidents and Neighborhood Watch Committees. He also asked if the administration could get a copy of the report to which Mr. Oldham referred tonight that pertains to the Hill Center.

City Clerk Swope announced that next Monday, April 9 is the close of registration for the May 8 Election for East Lansing, Holt, and Waverly Schools. He said that the City will be closed on Friday in observance of Good Friday. He said there will be a special City Council Meeting on Thursday, April 5 at 1:30 p.m.

President Leeman asked the City Clerk if he could please review the process for signing up to speak during public comment.

City Clerk Swope reviewed the process in detail.

**REMARKS BY THE MAYOR
OR EXECUTIVE ASSISTANT**

Jerry Ambrose, Executive Assistant to Mayor Bernero, stated that he would look into the issue regarding the Southside Community Center. He spoke about potholes in the city and he stated that if you need to report a pothole please call 483-4161.

ADJOURNED TIME 8:42 P.M.

CHRIS SWOPE, CITY CLERK



**SPECIAL MEETING
OFFICIAL PROCEEDINGS OF
THE CITY COUNCIL
CITY OF LANSING
PROCEEDINGS OF APRIL 5, 2007**

City Council Chambers
Lansing, Michigan

The City Council of the City of Lansing met in Special Session and was called to order at 1:30 p.m. by President Leeman.

PRESENT: Councilmembers Dunbar, Jeffries, Kaltenbach, Leeman, Quinney, Wood

ABSENT: Councilmembers Allen and Williams

Meditation and Pledge of Allegiance led by President Leeman

SPEAKER REGISTRATION FOR PUBLIC COMMENT

(Clerk Swope announced that the public comment registration form(s) for those intending to address Council on legislative or City government matters will be collected and that only those persons who have fully completed the form(s) will be permitted to speak.)

**PUBLIC COMMENT
ON LEGISLATIVE MATTERS**

• Public Comment on Legislative Matters:

Legislative Matters included the following public hearings:

1. In consideration of an Ordinance to Amend the Code of Ordinances of the City of Lansing, MI, by adding Chapter 811 to the Lansing Codified Ordinances authorizing a New Video Service Franchise Agreement with Arialink Telecom, LLC and establishing video service provider fees in conformance with, and pursuant to, the newly enacted Uniform Video Services Local Franchise Act

Christine Timmon of 2519 S. Washington spoke in support of Cable competition and in support of the agreement between the City of Lansing and Arialink Telecom, LLC

LEGISLATIVE MATTERS

REFERRAL OF PUBLIC HEARINGS

1. In consideration of an Ordinance to Amend the Code of Ordinances of the City of Lansing, MI, by adding Chapter 811 to the Lansing Codified Ordinances authorizing a New Video Service Franchise Agreement with Arialink Telecom, LLC and establishing video service provider fees in conformance with, and pursuant to, the newly enacted Uniform Video Services Local Franchise Act

REFERRED TO THE COMMITTEE OF THE WHOLE

RESOLUTIONS

REPORTS FROM COUNCIL COMMITTEES

**RESOLUTION #095
COMMITTEE REPORT**

THE COMMITTEE OF THE WHOLE met on March 22, 2007 to review an amendment to the Code of Ordinances by adding Chapter 811 for the purpose of authorizing a New Video Service Franchise Agreement with Arialink Telecom, LLC and establishing video service provider fees in conformance with, and pursuant to, the newly enacted Uniform Video Services Local Franchise Act.

The Committee recommends adoption of the amendment to the Code of Ordinances by adding Chapter 811 for the purpose of authorizing a New Video Service Franchise Agreement with Arialink Telecom, LLC and establishing video service provider fees in conformance with, and pursuant to, the newly enacted Uniform Video Services Local Franchise Act.

April 5, 2007

By the Committee of the Whole

Signed: Harold Leeman, Chair

Brian Jeffries, Vice chair

By Councilmember Jeffries

To receive this Committee Report

Motion Carried

ORDINANCES FOR PASSAGE

By Councilmember Jeffries

That we move to the passage of Ordinances

Motion Carried

By Councilmember Jeffries

That the Ordinance when read by its title be considered as read in its entirety.

Motion Carried

BY THE COMMITTEE OF THE WHOLE

By Councilmember Jeffries

That an Ordinance to Amend the Code of Ordinances of the City of Lansing, MI, by adding Chapter 811 to the Lansing Codified Ordinances authorizing a New Video Service Franchise Agreement with Arialink Telecom, LLC and establishing video service provider fees in conformance with, and pursuant to, the newly enacted Uniform Video Services Local Franchise Act, be placed on immediate passage

BY THE COMMITTEE OF THE WHOLE

By Councilmember Jeffries

That an Ordinance to Amend the Code of Ordinances of the City of Lansing, MI, by adding Chapter 811 to the Lansing Codified Ordinances authorizing a New Video Service Franchise Agreement with Arialink Telecom, LLC and establishing video service provider

fees in conformance with, and pursuant to, the newly enacted Uniform Video Services Local Franchise Act, be now passed

YEAS: Councilmembers Dunbar, Jeffries, Leeman, Kaltenbach, Quinney, Wood

NAYS: None

ABSENT: Councilmembers Allen and Williams

By Councilmember Jeffries

THAT THIS ORDINANCE, BEING NECESSARY FOR THE IMMEDIATE PRESERVATION OF THE PUBLIC, PEACE, HEALTH, OR SAFETY SHALL TAKE EFFECT UPON ITS PASSAGE

Motion Carried

ORDINANCE #1121

AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, TO ADD CHAPTER 811 TO THE LANSING CODIFIED ORDINANCES AUTHORIZING A NEW VIDEO SERVICE FRANCHISE AGREEMENT WITH ARIALINK TELECOM, LLC AND ESTABLISHING VIDEO SERVICE PROVIDER FEES IN CONFORMANCE WITH, AND PURSUANT TO, THE NEWLY ENACTED UNIFORM VIDEO SERVICES LOCAL FRANCHISE ACT.

THE CITY OF LANSING ORDAINS:

Section 1. That Chapter 811 of the Codified Ordinances of the City of Lansing, Michigan, be and is hereby added to read as follows:

811.01 THE CITY AUTHORIZES A VIDEO SERVICE FRANCHISE WITH ARIALINK, TELECOM, LLC (A VIDEO SERVICE PROVIDER) AND ESTABLISHES VIDEO SERVICE PROVIDER FEES PURSUANT TO THE PROCESS ESTABLISHED BY PUBLIC ACT 480 OF 2006 (THE UNIFORM VIDEO SERVICES LOCAL FRANCHISE ACT), WHICH REQUIRES VIDEO SERVICE PROVIDERS TO OBTAIN A FRANCHISE FROM THE CITY BY MEANS OF A UNIFORM VIDEO SERVICE LOCAL FRANCHISE AGREEMENT (UNIFORM FRANCHISE) AS FOLLOWS:

(A) PURSUANT TO ITS AUTHORITY UNDER THE UNIFORM VIDEO SERVICES LOCAL FRANCHISE ACT, THE CITY ESTABLISHES THAT AN ANNUAL FEE OF 2% OF GROSS REVENUES FROM VIDEO SERVICE PROVIDERS IS NECESSARY AS SUPPORT FOR THE COST OF PUBLIC, EDUCATION, AND GOVERNMENT ACCESS FACILITIES AND SERVICES, AS DETERMINED BY THE CITY'S COMMUNITY NEED ASSESSMENT.

(B) PURSUANT TO ITS AUTHORITY UNDER THE UNIFORM VIDEO SERVICES LOCAL FRANCHISE ACT, THE CITY ESTABLISHES A FEE OF 5% OF GROSS REVENUES FROM VIDEO SERVICE PROVIDERS AS THE ANNUAL VIDEO SERVICE PROVIDER FEE, SOMETIMES CALLED A FRANCHISE FEE.

(C) PURSUANT TO ITS AUTHORITY UNDER THE UNIFORM VIDEO SERVICES LOCAL FRANCHISE ACT, THE CITY HEREBY APPROVES THE UNIFORM VIDEO SERVICE LOCAL FRANCHISE AGREEMENT SUBMITTED ON MARCH 9 TO THE CITY BY ARIALINK TELECOM, LLC WITH A 5% FEE IN SECTION VI.A.ii AND A 2% PEG SUPPORT FEE IN SECTION VIII.A.3.

(D) THE APPROVAL OF ARIALINK TELECOM, LLC'S UNIFORM VIDEO SERVICE LOCAL FRANCHISE AGREEMENT AND THE SIGNATURE OF THE MAYOR ON IT SHALL NOT BE CONSTRUED OR UNDERSTOOD TO BE A WAIVER BY THE CITY OF ITS POLICE POWERS; RIGHTS IT MAY POSSESS UNDER, OR AUTHORITY IT MAY POSSESS UNDER, THE UNIFORM VIDEO SERVICES LOCAL FRANCHISE ACT, MICHIGAN LAW, THE

MICHIGAN CONSTITUTION, OR FEDERAL LAW; OR ITS RIGHT TO CHALLENGE OR MODIFY A UNIFORM FRANCHISE IF THE ACT IN WHOLE OR IN PART IS OVERTURNED BY THE COURTS.

Section 2. All ordinances, resolutions or rules, parts of ordinances, resolutions or rules inconsistent with the provisions hereof are hereby repealed.

Section 3. Should any section, clause or phrase of this ordinance be declared to be invalid, the same shall not affect the validity of the ordinance as a whole, or any part thereof other than the part so declared to be invalid.

Section 4. This ordinance shall take effect on the 30th day after enactment unless given immediate effect by City Council.

This Ordinance was given Immediate Effect by Motion of Councilmember Jeffries

CHRIS SWOPE, LANSING CITY CLERK

MOTION OF EXCUSED ABSENCE

By Councilmember Jeffries

To excuse Councilmembers Allen and Williams from today's proceedings

Motion Carried

REMARKS BY COUNCILMEMBERS

President Leeman reminded the public that City Hall will be closed tomorrow, April 6, 2007 in observance of Good Friday

REMARKS BY THE MAYOR OR EXECUTIVE ASSISTANT

There were no comments from the Mayor or Executive Assistant

ADJOURNED TIME 1:51 P.M.

CHRIS SWOPE, CITY CLERK



**OFFICIAL PROCEEDINGS OF
THE CITY COUNCIL
CITY OF LANSING
PROCEEDINGS OF APRIL 9, 2007**

City Council Chambers
Lansing, Michigan

The City Council of the City of Lansing met in regular session and was called to order at 7:00 p.m. by President Leeman.

PRESENT: Councilmembers Allen, Dunbar, Kaltenebach, Leeman, Quinney, Wood

ABSENT: Councilmembers Jeffries and Williams

Meditation and Pledge of Allegiance led by President Leeman

APPROVAL OF MINUTES

By Councilmember Quinney

To approve the printed Council Proceedings of March 30, April 2 and April 5, 2007

Motion carried

CONSIDERATION OF LATE ITEMS

By Councilmember Wood

To suspend City Council Rule #11 to allow for Consideration of Late Items

Motion carried

The following items were added to the agenda:

1. From Councilmember Kaltenebach; Resolutions for the following Appointments:

- John Kodeski to the Memorial Review Board for an At-Large Term to Expire June 30, 2010
- Dave Keeney to the Memorial Review Board for a 2nd Ward Term to Expire June 30, 2010
- Shatina Clinton to the Memorial Review Board for an At Large Term to Expire June 30, 2008
- Matthew Penniman to the Telecommunications and Cable Advisory Board for an At Large Term to Expire June 30, 2010

2. From Councilmember Wood; Letter of Resignation submitted by Councilmember Randy Williams

Councilmember Wood read the following letter into the record:

April 9, 2007

Harold Leeman
President
Lansing City Council
City Hall
10th Floor
124 W. Michigan Ave.
Lansing, MI 48933

President Leeman:

It is with a heavy heart that due to personal reasons, I will be resigning

my seat as Third Ward Councilmember, effective today, April 9, 2007. This was not an easy decision for me to make at this time; however, it is the right decision for me and for my family.

It has been an honor and a pleasure to serve on the City Council for the last four years. Representing the citizens of Lansing on council has been one of the hardest and yet most rewarding things I have ever done.

I would urge council to appoint a replacement for my seat as quickly as possible. I hope that all of you will work together in the future to help make Lansing live up to her potential as a great city and a wonderful place to live.

Sincerely,

Randy Williams

cc: Council Members

TABLED ITEMS

SPECIAL CEREMONIES

• Special Ceremonies

1. Proclamation and Tribute; Celebrating the 25th Anniversary of the Greater Lansing Area Club of the National Association of Negro Business and Professional Women's Clubs, Inc.

Mayor Bernero stated that these honorees put a lot of time into the Community and he congratulated them on a job well done and presented the organization with a Proclamation.

City Clerk Swope read the following resolution into the record:

RESOLUTION#096

BY COUNCILMEMBER CAROL WOOD
RESOLVED BY THE CITY COUNCIL

WHEREAS, the (NANBPWC) National Association of Negro Business and Professional Women's Clubs, Inc. was founded in New York in 1935 by Effie Diton, Adelaide Fleming, Pearl Flipping, Josephine B. Keene, E. Odessa Young, Ollie Chinn Porter, and Bertha Perry Rhodes; and

WHEREAS, this small group of African-American women created a national non-profit organization to promote and protect the interests of women business owners and professionals; and

WHEREAS, the importance of education and economic development through entrepreneurship was emphasized as women sought to support women through community service and social activism; and

WHEREAS, the NANBPWC, Inc. through its national leadership, regional districts, and local clubs provides opportunities for women to increase their leadership skills, experience governance and parliamentary procedures, and enhance their educational awareness of issues impacting the Black community through volunteerism; and

WHEREAS, the Greater Lansing Area Club was the last of fourteen clubs in the North Central District organized by Lela M. Eaton and was presented at the National convention held in Washington, D.C. in 1982 with seventeen members; and

WHEREAS, the NANBPWC pledges to "become involved, to be constant, cooperative, enthusiastic, and concerned about the social ills affecting the young people of our community and to help to promote the interest of business and professional women and invest ourselves in the willing service of others"; and

WHEREAS, the Greater Lansing Area Club of the National Association of Negro Business and Professional Women's Club, Inc. will celebrate 25 years of service to the Lansing area Community on Saturday, April 21, 2007;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, congratulates the Greater Lansing Area Club on its 25th Anniversary and wishes them many more successful years to come!

By Councilmember Wood

Motion Carried

Councilmember Wood stated that this group focuses on approving the global lives of young men and women in their communities.

Betty Nixon thanked the Mayor and Council for their honors. She accepted these honors for the communities in Lansing. She stated that she along with all of the other members of the club will continue to work with young people to make them believe in themselves.

COUNCILMEMBERS' COMMENTS AND CITY CLERK'S ANNOUNCEMENTS:

Councilmember Dunbar announced the opening of a new store in Old Town called Polka Dots. Their grand opening will be Saturday, April 14, from 11:00 a.m. to 7:00 p.m.

Councilmember Allen asked the administration to look into the matter of the parked trailer and the loose dog that are on park property.

Councilmember Kaltenbach thanked Victor Rose and the Public Service Department for doing a great job with the pothole that was reported to them.

Councilmember Dunbar wished her daughter a Happy 6th Birthday.

Councilmember Quinney thanked the staff of Board of Water and Light and Calvin Jones for giving him a tour of the facilities. He also wished his son a Happy Birthday.

Councilmember Wood announced that there will be an OUTSpoken forum at Club 505 on Tuesday at 7:00 p.m. She also announced that the South Lansing Business Association is holding their annual banquet on Wednesday at 6:00 p.m. She asked the mayor if he could please look into the use of the Neighborhood Watch listing for a mailing regarding the upcoming budget schedule.

SPEAKER REGISTRATION FOR PUBLIC COMMENT

(Clerk Swope announced that the public comment registration form(s) for those intending to address Council on legislative or City government matters will be collected and that only those persons who have fully completed the form(s) will be permitted to speak.)

MAYOR'S COMMENTS

Mayor Bernero stated that the process for relaying information the Watch groups is being reviewed. He spoke about the Crosstown Showdown with the Lansing Lugnuts and the Michigan State University Baseball Team. He congratulated the Michigan State University Hockey Team on their National Championship Title. He spoke about items on

the agenda for this evening. He spoke about the meeting of the Urban Core Mayors. He spoke about a ground breaking announcement for the Christman Company's Landmark Mutual Building. He gave condolences to Chief Alley and his family for the passing of his father and asked that we have a moment of silence in his memory.

SHOW CAUSE HEARINGS

• Comment on Scheduled Show Cause Hearings:

There were no scheduled Show Cause Hearings

PUBLIC COMMENT ON LEGISLATIVE MATTERS

• Public Comment on Legislative Matters:

Legislative Matters included the following public hearings:

1. In consideration of Public Improvement II/III; Curb and Gutter and Necessary Storm Sewer for all lands fronting on Cavanaugh Rd. from Aurelius Rd. to Dunckel Rd. and also all lands fronting on Eastlawn Dr. from Cavanaugh Rd. to 500 ft. south of Cavanaugh Rd. P.S. #68050, excepting all public streets and alleys and other land deemed not benefited

Councilmember Dunbar gave a brief overview of the Public Hearing.

Bob Gray of 422 Dadson raised concerns with the curb and gutter location for this Public Improvement.

John Pollard of 1718 Blair spoke about concerns that he has with a rezoning project for senior housing at the former School for the Blind property. He also spoke in opposition to the Tax Abatement for TechSmith.

Darnell E. Oldham Sr of 3815 Berwick Dr spoke about concerns that he has with giving out Tax Abatements.

Christine Timmon of 2519 Washington spoke about the recent appointments that have been made. She thanked the Mayor for taking care of this issue.

PUBLIC COMMENT ON CITY GOVERNMENT RELATED MATTERS:

Don Dean of 1321 East North St. spoke in opposition to the proposed fountain on Michigan Ave.

Bob Gray of 422 Dadson stated that semi trucks are the reason why our roads are being torn up. He also spoke about traffic concerns at Willoughby and Cedar.

John Pollard of 1718 Blair spoke about the need for a shuttle bus service on Edgewood just west of South Washington.

William Hubbell of 3916 Wedgewood stated that the Memorial Review Board will be meeting this week.

Frank S. Curtis X of 1137 West Allegan spoke about an article that was in the paper about the City's proposed Health Care increase.

Darnell E. Oldham Sr of 3815 Berwick Dr spoke about an article that was published in the State Journal about issues with the City Council's Health Care.

Christine Timmon of 2519 Washington spoke about the Cable Advisory Board meetings.

Richard Clement of 900 Long Blvd spoke about the high price of gasoline. He also spoke about E-85 fuel.

Lawrence Green of 220 Main St spoke about the death of a 14 year old. He also spoke about an upcoming program for the City.

LEGISLATIVE MATTERS

REFERRAL OF PUBLIC HEARINGS

1. In consideration of Public Improvement II/III; Curb and Gutter and Necessary Storm Sewer for all lands fronting on Cavanaugh Rd. from Aurelius Rd. to Dunckel Rd. and also all lands fronting on Eastlawn Dr. from Cavanaugh Rd. to 500 ft. south of Cavanaugh Rd. P.S. #68050, excepting all public streets and alleys and other land deemed not benefited

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES

RESOLUTIONS

RESOLUTION#097

BY COUNCILMEMBER CAROL WOOD
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Ingham Regional Medical Center began delivering health care to mid-Michigan residents in 1913; and

WHEREAS, Dr. Seong Chi and his heart team performed the first open heart surgery in 1965; and

WHEREAS, the first arthroscopic knee replacement surgery was done by Dr. Lanny Johnson in the early 1970's; and

WHEREAS, today the IRMC is ranked among the top 5% nationally for total joint replacement; and

WHEREAS, the Ingham Regional Medical Center is the only hospital in mid-Michigan to earn the Distinguished Hospital Award in clinical performance; and

WHEREAS, the IRMC boasts a full-service diagnostic and teaching Breast Care Center, a Curative Wound Care Center with exceptional healing rates for chronic, non-healing wounds, a multi-disciplinary Pain Management Center, a nationally recognized Center for Sleep and Alertness, and four pediatric hospitalizes; and

WHEREAS, the Ingham Regional Medical Center provides patient rehabilitation centers for cardiology, pulmonary, sports medicine, physical therapy, and worker's compensation, a full service consumer and clinical library, community based health education sessions, health screenings, and outreach, including a "Health on Wheels" bus, and a "PATCH Goes to School" heart education program for elementary schools; and

WHEREAS, the IRMC is a community based, university affiliated teaching hospital, rated among the top 5% nationally among non-government, acute care hospitals for quality care and clinical experts; and

WHEREAS, the South Lansing Business Association has awarded the Ingham Regional Medical Center the Business of the Year Award for its excellence in service.

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, congratulates the Ingham Regional Medical Center on being presented the South Lansing Business Association's "Business of the Year" Award and extends a heartfelt thank you to all of its employees for their hard work and dedication. We wish you continued success!

By Councilmember Wood

Motion Carried

RESOLUTION#098

BY COUNCILMEMBER CAROL WOOD
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Boys & Girls Club of Lansing began in 1964 as the Boys Club of Lansing Local businessmen establishing an activity center targeting underprivileged youth; and

WHEREAS, affiliation with the Boys & Girls Club of America brought national program ideas, professional staff, and a philosophy of working with youth and for more than 40 years the focus of this community agency has remained on youth from disadvantaged circumstances, who lack appropriate resources and role models for success in school and employment; and

WHEREAS, the mission has broadened from recreation and socialization to include education in a broad range of life skill areas; and

WHEREAS, in 1988 a \$1,300,000 Capital Campaign built the current facility in the south-side of the city on Pleasant Grove Rd and opened in 1990, the building and program began operating for 800 youth; and

WHEREAS, since the opening of the present facility in June 1990, over 25,000 youth have been served; and

WHEREAS, over 3,000 volunteers have contributed almost 40,000 hours of expertise and over 60 community organizations have undertaken program collaboration for youth between the ages of 7-17; and

WHEREAS, the Boys & Girls Club of Lansing employs a Youth Development Strategy, including club programs and services which promote and enhance the development of boys and girls by instilling a sense of competence, a sense of usefulness, a sense of belonging, and a sense of power or influence; and

WHEREAS, when this strategy is fully implemented, self-esteem is enhanced and an environment is created which helps girls and boys achieve their full potential.

NOW, THEREFORE BE IT RESOLVED that the South Lansing Business Association will recognize the Boys & Girls Club of Lansing on Wednesday, April 11, 2007 for their excellence in community service.

BE IT FINALLY RESOLVED that the Lansing City Council, hereby, congratulates the Boys & Girls Club of Lansing for being awarded the South Lansing Business Association's "Community Service of the Year" Award. We wish to extend a warm thank you to all of the staff and volunteers for their dedication to the Lansing Community. We wish you continued success!

By Councilmember Wood

Motion Carried

RESOLUTION#099

BY COUNCILMEMBER CAROL WOOD

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Greater Lansing Housing Coalition (GLHC), a private non-profit community development corporation, was founded in 1989; and

WHEREAS, since 1995, the Coalition has acquired, rehabilitated and/or newly constructed dwellings and sold more than 100 single-family homes to income-eligible first time home buyers; and

WHEREAS, the Coalition has 220 apartments and assisted 185 families in purchasing their first home; and

WHEREAS, each product is high quality, affordable, and available to people of modest means; and

WHEREAS, the Coalition controls two solely owned subsidiary corporations: Edgewood Village in Meridian Township, a 135 apartment complex purchased in 1994, Jefferson Street Square in Mason with 62 apartments for seniors, and Walnut Apartments in Lansing with nine apartments for people who are homeless and mentally ill in partnership with Community Mental Health and Justice in Mental Health Organizations (JIMHO); and

WHEREAS, the Greater Lansing Housing Coalition's mission depends on close collaboration with many Lansing neighborhoods which have experienced severe economic disinvestment, including Genesee, Westside, Renaissance, Moores Park, River Point, and Baker-Donora; and

WHEREAS, major financial partners include the City of Lansing, Michigan State Housing Development Authority (MSHDA), Local Initiatives Support Corporation (LISC), Great Lakes Capital Fund, National City Bank, Dart Bank, Granger Foundation, Greater Lansing Association of Realtors, Fifth Third Bank, and Flagstar Bank; and

WHEREAS, on Wednesday, April 11, 2007, the South Lansing Business Association will present the Greater Lansing Housing Coalition with an "Outstanding Achievements" Award for their continued efforts to revitalize Lansing's neighborhoods by providing safe and affordable housing to people of modest means;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, extends its warmest wishes to the Greater Lansing Housing Coalition for their service and dedication to Lansing's residents. We wish you continued success!

By Councilmember Wood

Motion Carried

RESOLUTION#100

BY THE PLANNING AND DEVELOPMENT COMMITTEE
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING
Personal Property Exemption – TechSmith Corporation

WHEREAS, pursuant to Public Act 328 of 1998 (1998 PA 328), TechSmith Corporation has made Application for Exemption of New Personal Property (PPE-1-07) for property commonly known as Parcels B & D of the University Corporate Research Park which are contained within a Lansing Industrial Development District, established by the Lansing City Council on November 27, 1989; and

WHEREAS, a public hearing was held April 2, 2007, on the TechSmith Corporation Application for Exemption of new personal property, at which, and with advance written notice, the assessor and all representatives of affected taxing units were afforded an opportunity to appear and be heard on the application and exemption request; and

WHEREAS, the City is an eligible distressed community under Public Act 328 by containing NEZ classifications under Neighborhood

Enterprise Zone Act of 1992, and as acknowledged in the State Tax Commission bulletin on exemption of new personal property to assessing officers, dated May 10, 1999; and

WHEREAS, Lansing Industrial Development District area is an eligible district under Public Act 328, as amended, and it is within the jurisdiction of the City of Lansing and, therefore, within an eligible distressed community; and

WHEREAS, TechSmith Corporation meets the requirements of an eligible business under Public Act 328 by being primarily engaged in office operations;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council hereby approves the application of TechSmith Corporation for exemption of new personal property PPE-1-07 pursuant to Public Act 328 of 1998, as amended, for Parcels B & D of the Southwest 1/4 of Section 25, T4N, R2W, City of Lansing, Ingham County, Michigan, described as commencing at the Southwest Corner of Section 25, thence S8920'12"E 1303.92 feet along the South Section line to the East line of the West of the Southwest 1/4 as occupied and the centerline of Collins Road; thence N0023'26"E 813.20 feet along said centerline; thence N8936'34"W 213.78 feet; thence N6749'57"W 134.68 feet to the point of beginning; thence S0023'26"W 157.77 feet; thence S3811'31"W 166.10 feet to the easterly line of Technology Way, thence N5203'20"W 81.27 feet along said right of way line; thence Northwesterly 362.22 feet along the arc of a 367.00 foot radius curve to the right whose chord bears N2346'50"W 347.70 feet along said right of way line; thence Northerly 182.89 feet along the arc of a 367.00 foot radius curve to the right whose chord bears N1841'01"E 181.00 feet along said right of way line; thence S4436'34"E 350.85 feet; thence S6749'57"E 3.90 feet to the point of beginning, containing 2.368 acres of land and subject to any easements or rights of way of record, commonly known as Parcels B & D of the University Corporate Research Park, and

BE IT FURTHER RESOLVED that the personal property exemption PPE-01-07 under Public Act 328 shall be for the period of twelve (12) years effective Dec. 30, 2007 and ending Dec 30, 2019.

BE IT FINALLY RESOLVED that the City Clerk shall cause the application for exemption of new personal property PPE-01-07 to be completed and shall cause the completed application and a copy of this Resolution to be filed with the State Tax Commission.

By Councilmember Allen

Motion Carried

RESOLUTION#101

BY THE COMMITTEE ON DEVELOPMENT AND PLANNING
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Mayor has requested confirmation of the reappointment of Brian McGrain, 300 N. Fairview, Lansing, MI, 48912 to the First Ward position on the Board of Zoning Appeals for a term to expire June 30, 2008;

WHEREAS, the Committee on Development and Planning met on April 4, 2007, and recommended confirmation of this reappointment.

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby confirms the Mayor's reappointment of Brian McGrain, 300 N. Fairview, Lansing, MI, 48912 to the First Ward position on the Board of Zoning Appeals for a term to expire June 30, 2008.

By Councilmember Allen

Motion Carried

RESOLUTION#102

BY THE COMMITTEE ON GENERAL SERVICES
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Mayor made the appointment of John Kodeski, 520 Verlinden, Lansing, Michigan 48915 to an At Large seat on the Memorial Review Board, term to expire June 30, 2010; and

WHEREAS, John Kodeski was interviewed at the Committee on General Services on April 9, 2007;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council, hereby, confirms the appointment of John Kodeski, 520 Verlinden, Lansing, Michigan 48915 to an At Large seat on the Memorial Review Board, term to expire June 30, 2010.

By Councilmember Kaltenbach

Motion Carried

RESOLUTION#103

BY THE COMMITTEE ON GENERAL SERVICES
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Mayor made the appointment of Dave Keeney, 5931 Joshua Street, Lansing, Michigan, 48911 to the Second Ward Seat on the Memorial Review Board, term to expire June 30, 2010; and

WHEREAS, Dave Keeney was interviewed at the Committee on General Services on April 9, 2007;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council, hereby, confirms the appointment of Dave Keeney to the Second Ward seat on the Memorial Review Board, term to expire June 30, 2010.

By Councilmember Kaltenbach

Motion Carried

RESOLUTION#104

BY THE COMMITTEE ON GENERAL SERVICES
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Mayor made the appointment of Shatina Clinton, 1805 W. Saginaw Street, Lansing, Michigan, 48915 to an At Large seat on the Memorial Review Board, term to expire June 30, 2008; and

WHEREAS, Shatina Clinton was interviewed at the Committee on General Services on April 9, 2007;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council, hereby, confirms the appointment of Shatina Clinton to the At Large seat on the Memorial Review Board, term to expire June 30, 2008.

By Councilmember Kaltenbach

Motion Carried

RESOLUTION#105

BY THE COMMITTEE ON GENERAL SERVICES
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Mayor made the appointment of Matthew Penniman, 307 S. Eight Street, Suite #2, Lansing, Michigan, 48912 to the Telecommunications and Cable Advisory Board, term to expire June 30, 2010; and

WHEREAS, Matthew Penniman was interviewed at the Committee on General Services on April 9, 2007;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council, hereby, confirms the appointment of Matthew Penniman, 307 S. Eight

Street, Suite #2, Lansing, Michigan, 48912 to the Telecommunications and Cable Advisory Board, term to expire June 30, 2010.

By Councilmember Kaltenbach

Motion Carried

RESOLUTION#106

BY THE COMMITTEE ON PUBLIC SERVICES
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Mayor has requested confirmation of the appointment of Dusty Fancher, 1319 Chester Road, Lansing, Michigan, 48912, to the First Ward seat on the Parks Board for a term to expire June 30, 2009; and

WHEREAS, the Committee on Public Services met on March 19, 2007, and recommended confirmation of this appointment.

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council, hereby, confirms the Mayor's of appointment of Dusty Fancher, 1319 Chester Road, Lansing, Michigan, 48912, to the First Ward seat on the Parks Board for a term to expire June 30, 2009.

By Councilmember Dunbar

To place and Affirmative Roll on the Resolution

By Councilmember Wood

To amend the resolution to read "Committee on Public Services" in the second paragraph

Carried Unanimously

By Councilmember Dunbar

To place an affirmative roll on the amended Resolution

Motion Carried (Councilmember Wood Dissenting)

REPORTS FROM COUNCIL COMMITTEES

RESOLUTION#107 COMMITTEE REPORT

THE COMMITTEE ON DEVELOPMENT AND PLANNING met on April 4, 2007, to review an ordinance amendment of Section 1246.02 of the Code of Ordinances providing for the rezoning of a parcel of real property located in the City of Lansing, Michigan at 715 W. Willow Street, Z-17-06; from "B" Residential District to "DM-1" Residential District and for revision of the District Maps.

The Committee recommends adoption of the ordinance amendment of Section 1246.02 of the Code of Ordinances providing for the rezoning of Z-17-06; 715 W. Willow Street, for rezoning from "B" Residential District to "DM-1" Residential District and revision of the District Maps.

April 4, 2007

By the Committee on Development and Planning

Signed: Brian C. Jeffries, Chair

Sandy Allen, Vice Chair

Kathie Dunbar, Member

By Councilmember Allen

To receive this Committee Report

Motion Carried

RESOLUTION#108
COMMITTEE REPORT

THE COMMITTEE ON PUBLIC SERVICES reviewed the city's Yard Waste Policy on Wednesday, April 4, 2007 and discussed changes in the policy regarding proper yard waste containers. Scott House, Superintendent of Operations & Maintenance, provided the committee with the following information:

1. Relevant City Ordinance: City of Lansing ordinance 1060.04 Yard waste, solid waste and recyclable material container specifications; price specifically addresses this issue, establishing the Director of Public Service as the person responsible for specifying the type of containers used for yard waste collection.

2. Yard Waste Collection Background: The City provides a comprehensive weekly yard waste collection for 8 months of the year. Funding for this service is through the \$72 a year recycling fee, accessed against single occupancy residences and residential rental properties containing four units or less. Approved collection containers are biodegradable bags and rigid containers, both under 30 pounds in weight. Approximately 20 % of customers use rigid containers.

Yard waste was initially collected in plastic bags; however, approximately 8 years ago, changes in landfill requirements prohibited this practice, requiring the use of biodegradable paper bags. Following the switch to paper bags, some residents slowly started to use rigid containers. Approximately, seven years ago, the Public Service Director approved the use of rigid containers, with a 30-pound weight restriction. As time progressed, the rigid containers became larger and heavier, exceeding the weight limits. Moreover, many of the containers would tear while being emptied into City yard waste collection trucks, because of their weight and lack of standards. At the same time, the Waster Reduction Services section of the Public Service Department started to see an increase in work related injuries in conjunction with the emptying of the rigid containers. Gradually, the fall yard waste containers began to reach 40-70 pounds as the sizes increased.

The conditions for injury to collection staff start with the emptying of up to 200 containers a day. The second condition is the fact that it is difficult to determine the weight of the containers until they have been lifted and tilted at shoulder height. Further, our collection staff strives to provide superior service, and are often in a hurry to complete their routes, and will often empty containers that are far too heavy. Injuries to the back and shoulders are a result from the repetitious lifting, and the awkward shape and weight of the full rigid containers. The actual percentage's of injuries is hard to gauge because of the latent effects of some injuries, however, in a typical yard waste season it is common to see several injuries and employees placed on restriction. Given the small size of our collection staff, any employee that is placed on restriction increases the burden on the others, and increases the operating costs of other collection streams, to include recycling and refuse.

In an attempt to prevent this problem from continuing, multiple reminders have been made to the Citizens to limit the weight of their containers and the reminders have been largely ineffective. Also, collection staff has been reminded of weight limits, and to use caution. Waste Reduction Staff researched this issue, and found that many communities limit yard waste to bags for similar reasons. In addition, rigid containers are more difficult to empty, delaying route collection progress. Whereas, yard waste bags, used by the vast majority of citizens, have a uniform size and are limited in weight, making the collection process more efficient.

After reviewing the collection methods of neighboring communities of equal size, and characteristics, the decision was made to prohibit the future use of rigid containers, starting in the spring of 2007. This decision was reached after careful consideration; balancing customer service, employee safety, and cost.

3. Impact to Citizens: Eliminating the use of rigid containers impacts approximately 20% of the City of Lansing. An estimated 80% of residences already use paper bags as the sole means of yard waste disposal and by as much as 95% during fall leaf pick-up. Granted, the cost of bag is born by the Citizen, yet it is the most cost effective manner to collect and dispose of yard waste, for both the resident and City. Moreover, the vast majority of Citizens are accustomed to this cost and any difficulties in the storage or filling thereof. Assuming the average residence uses 30 bags a year at \$0.40 per bag; the cost would be \$12 a year. This is a marginal cost to low income families, many of which already use these bags.

4. Accommodations to Persons with Physical Limitations: To accommodate persons unable to use paper bags because of documented physical limitations of all persons in a residence, a waiver can be requested in writing, addressed to the Recycling Coordinator at the above address. The requestor's circumstances shall be investigated and reviewed. Upon approval by the Recycling coordinator, the requestor's rigid containers will then be inspected and a sticker shall be placed on containers meeting specifications. Persons unsatisfied with the Recycling Coordinator's findings may request an appeal to the Director of Public Service, at the above address, for a final review of their waiver request. Containers will be inspected on a yearly basis, and a new sticker shall be supplied annually. When a physical limitation no longer exists, permission to use rigid containers will be revoked.

April 5, 2007

Signed: Kathie Dunbar, Chair, Harold Leeman, Vice Chair, Derrick Quinney, Member

By Councilmember Dunbar

To receive this Committee Report

Motion Carried

ORDINANCES FOR INTRODUCTION

There were no Ordinances for Introduction

ORDINANCES FOR PASSAGE

BY COUNCILMEMBER ALLEN

That we move to the passage of Ordinances

Motion Carried

BY COUNCILMEMBER ALLEN

That the Ordinance when read be considered as read in its entirety.

Motion Carried

BY THE COMMITTEE ON DEVELOPMENT AND PLANNING

BY COUNCILMEMBER ALLEN

Resolved by the City Council of the City of Lansing that an Ordinance of the City of Lansing, Michigan, Providing for the Rezoning of a parcel of real property located in the City of Lansing, Michigan and for

the revision of the district maps adopted by section 1246.02 of the Code of Ordinances for property located at Z-17-06; Part of 715 W. Willow, be placed on order of immediate passage.

BY THE COMMITTEE ON DEVELOPMENT AND PLANNING

BY COUNCILMEMBER ALLEN

Resolved by the City Council of the City of Lansing that an Ordinance of the City of Lansing, Michigan, Providing for the Rezoning of a parcel of real property located in the City of Lansing, Michigan and for the revision of the district maps adopted by section 1246.02 of the Code of Ordinances for property located at Z-17-06; Part of 715 W. Willow, be now passed.

YEAS: Councilmembers Allen, Dunbar, Kaltenbach, Leeman, Quinney, Wood

NAY: None

ABSENT: Councilmember Jeffries

By Councilmember Allen

THAT THIS ORDINANCE, BEING NECESSARY FOR THE IMMEDIATE PRESERVATION OF THE PUBLIC, PEACE, HEALTH, OR SAFETY SHALL TAKE EFFECT UPON ITS PASSAGE

Motion Carried

ORDINANCE #02529

AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, PROVIDING FOR THE REZONING OF A PARCEL OF REAL PROPERTY LOCATED IN THE CITY OF LANSING, MICHIGAN AND FOR THE REVISION OF THE DISTRICT MAPS ADOPTED BY SECTION 1246.02 OF THE CODE OF ORDINANCES.

The City of Lansing ordains:

Section 1. That the district maps adopted by and incorporated as Section 1246.02 of the Code of Ordinances of the City of Lansing, Michigan be amended to provide as follows:

To change the zoning classification of the property described as follows:

Case Number: Z-17-2006
Address: Part of 715 W. Willow Street
Parcel Number: Part of PPN: 33-01-01-08-427-002
Legal Descriptions: Part of the SE 1/4 of Section 8 and the SW 1/4 of Section 9, T4N-R2W, and a part of Lot 3 of Block 26 and Lot 1, Block 27 and vacated W. Grand River Avenue of the "Map of the Subdivision of Block 26 & 27 in Town of Michigan" as recorded in April, 1849 being more particularly described as follows: commencing at a M.A.G. nail at the intersection of the West line of North Pine Street (82.5 feet) and the South line of W. Willow Street (variable width), said point also being the NE Corner of Lot 1, Block 26 of the "Map of the Subdivision of Blocks 26 & 27 in Town of Michigan" as recorded in April, 1849; thence N88°10'25"W, 593.56 feet along the Southerly Line of W. Willow Street; thence 80.21 feet along 341.85 foot radius curve to the left, having a delta angle 13°26'36" and a chord of S84°15'51"W80.02 feet along the Southerly line of W. Willow Street to the point of beginning of the following described parcel: thence S01°45'54"W, 173.08 feet; thence S86°59'21"E, 95.41 feet to the west line of Lot 2, Block 26 of the "Map of the Subdivision of Block 26 & 27 in Town of Michigan"; thence S01°45'54"W, 76.74 feet

along the west line of Lot 2, Block 26 of said plat to the NW Corner of Lot 3, Block 26 of said plat; thence S88°09'23"E, 337.50 feet along the north line of Lot 2, Block 26 of said plat; thence S01°45'54"W, 131.21 feet to the north line of vacated W. Grand River Avenue; thence S88°08'49"E, 240.00 feet along the north line of vacated W. Grand River Avenue to the west line of N. Pine Street (82.5 feet); thence S01°45'54"W, 116.26 feet along the west line of N. Pine Street; thence N88°07'17"W, 240.00 feet; thence S01°45'54"W, 97.57 feet to the south line of Lot 1, Block 27 of said plat; thence N88°08'21"W, 292.91 feet along the south line of Lot 1, Block 27 of said plat; thence N00°00'00"W, 12.61 feet; thence N90°00'00"W, 201.03 feet; thence N00°00'00"E, 100.92 feet; thence N90°00'00"W, 156.08 feet to the east line of Vacated Rogers Street; thence N01°45'54"E, 242.25 feet along the East line of Vacated Rogers Street; thence N87°57'11"W, 66.00 feet to the west line of Vacated Rogers Street; thence N01°45'54"E, 120.32 feet along the west line of Vacated Rogers Street to the south line of W. Willow Street (Variable width); thence along the south line of W. Willow Street the following 3 courses: (1) 30.60 feet along 469.38 foot radius curve to the left, having a delta angle of 03°44'07" and a chord of N67°27'23"E, 30.60 feet; (2) N65°35'20"E, 213.68 feet; (3) 71.32 feet along 341.85 foot radius curve to the right, having a delta angle of 11°57'12" and a chord of N71°33'57"E, 71.19 feet to the point of beginning. Containing 6.80 acres more or less and subject to rights of the public over W. Willow Street. Also subject to any easements or restrictions of use or record. City of Lansing, Ingham County, Michigan, from "B" Residential to "DM-1" Residential District

Section 2. All ordinances or parts of ordinances inconsistent with the provisions hereof are hereby repealed.

Section 3. This ordinance shall take effect thirty (30) days from its passage unless given immediate effect by the City Council.

This Ordinance was given immediate effect by motion of Councilmember Allen

CHRIS SWOPE, LANSING CITY CLERK

REPORTS FROM CITY OFFICERS, BOARDS, AND COMMISSIONS; COMMUNICATIONS AND PETITIONS; AND OTHER CITY RELATED MATTERS

By Councilmember Allen that all items be considered as being read in full and that President Leeman make the appropriate referrals

Motion Carried

• Reports from City Officers, Board and Commissions:

1. Letter of Resignation submitted by Councilmember Randy Williams Effective Immediately

*SUSPENSION ITEM-REFERRED TO THE COMMITTEE OF THE WHOLE

• Communications and Petitions and Other City Related Matters:

- a. Letter from the Michigan Department of Treasury providing notice of the issuance of an Obsolete Property Rehabilitation Exemption (OPRA) Certificate to Hollister Holding, LLC for property located at 106 W. Allegan St.

REFERRED TO THE CITY ASSESSOR AND REFERRED TO THE CITY TREASURER

- b. Letter from the Michigan Department of Environmental Quality providing notice of the issuance of Permit No. 07-33-0016-PtoLiebler Land Corporation of 2611 N. Grand River Ave., to allow for the placement of approximately 275 cubic yard of material within the 100-year floodplain of the Grand River for future expansion of storage facility

REFERRED TO PLANNING AND NEIGHBORHOOD DEVELOPMENT AND REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

- c. Letters from Chuck Theroux, Commodore of the Lansing Boat Club, regarding:

- Park rules pertaining to unleashed dogs
- Ex-officio Membership Request

REFERRED TO THE PARKS DEPARTMENT AND REFERRED TO THE MAYOR

- d. Request for recognition of non-profit status filed by Patrick McSherry of Handicapper Advocacy Alliance, Inc. (dba Capital Area Center for Independent Living) located at 1026 E. Michigan Ave.

RECEIVED AND PLACED ON FILE

- e. Letters regarding the Lansing Neighborhood Council from:

- Kevin R. Webb, no address given
- Hazel Bethea of 1002 W. Shiawassee

RECEIVED AND PLACED ON FILE

- f. Letter from Marti Wheeler, President of Foster Your Neighborhood, regarding the postal sub-station on Merrill St.

REFERRED TO THE CITY ATTORNEY

- g. Ingham County Board of Commissioners Resolution #07-058; authorizing a conditional agreement with the City of Lansing for the lease and operation of the Potter Park Zoo and Potter Park

REFERRED TO THE COMMITTEE OF THE WHOLE

MOTION OF EXCUSED ABSENCE

By Councilmember Allen

To excuse Councilmembers Jeffries and Williams from tonight's proceedings

Motion Carried

REMARKS BY COUNCILMEMBERS

Councilmember Kaltenbach announced that there will be a CSO meeting for the North Lansing area at Gier at 7:00 p.m. on Tuesday.

Councilmember Quinney congratulated the Michigan State Hockey Team on their National Championship.

Councilmember Allen stated that she was on vacation last week in Georgia and the weather there was not any better than here.

Councilmember Dunbar wished her daughter a happy Birthday again because she was outside riding her new bike earlier in the meeting.

Councilmember Wood read a letter to the Mayor that was prepared and sent by President Leeman and Vice President Jeffries to the Neighborhood Groups regarding the Budget Hearings. She said that this letter should also be able to go to the Neighborhood Watch groups.

President Leeman said that losing Councilmember Williams was a shock and will be a great loss. He wished him well and will talk about the process for replacing him at the Committee of the Whole Meeting.

REMARKS BY THE MAYOR OR EXECUTIVE ASSISTANT

Mayor Bernero thanked Councilmember Dunbar for the correction regarding the placement of the fountain within the proposed traffic circle. He spoke about the importance of beautifying Lansing to attract visitors and new residents. He addressed the issue regarding the mobile home at the Marina and the loose dog. He wished Councilmember Williams and his family the best of luck.

ADJOURNED TIME 9:19 P.M.

CHRIS SWOPE, CITY CLERK



**OFFICIAL PROCEEDINGS OF
THE CITY COUNCIL
CITY OF LANSING
PROCEEDINGS OF APRIL 16, 2007**

City Council Chambers
Lansing, Michigan

The City Council of the City of Lansing met in regular session and was called to order at 7:00 p.m. by President Leeman.

PRESENT: Councilmembers Allen, Dunbar, Jeffries, Kaltenbach, Leeman, Quinney, Wood

ABSENT: None

Councilmember Kaltenbach requested that during our meditation we remember the students and the families of Virginia Tech

Meditation and Pledge of Allegiance led by President Leeman

CONSIDERATION OF LATE ITEMS

By Vice President Jeffries

To suspend City Council Rule #11 to allow for Consideration of Late Items

Motion carried

The following items were added to the agenda:

1. From Councilmember Kaltenbach; Draft Ordinance to Amend the Code of Ordinances of the City of Lansing, MI, by adding Section 810.22 authorizing a New Video Service Franchise Agreement with Comcast of Michigan, LLC and establishing video service provider fees
2. From Councilmember Allen; Letter from Denise Eckman of 715 W. Northrup St. regarding the possible reconstruction of Northrup St.

TABLED ITEMS

SPECIAL CEREMONIES

• Special Ceremonies

1. Presentation: Board of Water and Light's "Adopt a River" Clean Up

Mark Nixon of the Board of Water and Light announced that Saturday, April 21 marks the 14th Anniversary of Adopt-A-River. He invited everyone to come down to the riverfront and help. He said registration will be at Impression 5 Museum and this event runs from 8:00 a.m. to 12:00 p.m. He said this year a tree will be given away every minute for the first hour.

2. Tribute; Cesar E. Chavez Commission 12th Annual Celebration

This Special Ceremony was pulled from the Agenda

**COUNCILMEMBERS' COMMENTS
AND CITY CLERK'S ANNOUNCEMENTS:**

Councilmember Allen announced that the Old Everett Neighborhood Association will be meeting on Tuesday at 7:00 p.m. at the Ingham

Regional Education Learning Center.

Councilmember Dunbar announced that there will be a fund raiser at the Charlar Place in Holt for Cinderella's Closet. The fund raiser is being held from 10:00 a.m. to 2:00 p.m. For more information regarding this event please call 699-5595.

Councilmember Quinney announced that a clean sweep will be taking place on Saturday, April 21 from 10:00 a.m. to 1:00 p.m. for cleaning up the West Saginaw Street area.

Councilmember Wood announced that on Tuesday at 6:30 p.m. the Churchill Downs Neighborhood Association will be meeting at Wainwright. On Wednesday the Colonial Village Neighborhood Association will be meeting at Grace United Methodist Church. On Wednesday Foster Your Neighbor will be meeting at Foster Community Center. Friday is the 10th Annual Dick Letts Golf Fund Raiser at Gregory's from 6:00 p.m. to 10:00 p.m. On Friday, April 27 there is a Special Olympics luncheon at Outback Steak House, tickets are \$20 and for more information you can call Darrin Southwell at 243-1672.

President Leeman said that there will be a community budget meeting on Thursday from 6:00 p.m. to 8:00 p.m. at Foster Community Center in Room 213.

City Clerk Swope announced that the City Council packets are now available online. He said you can go to clerk.cityoflansingmi.com and click on the link for legislative issues and it will give you another link to access the packet information.

SPEAKER REGISTRATION FOR PUBLIC COMMENT

(Clerk Swope announced that the public comment registration form(s) for those intending to address Council on legislative or City government matters will be collected and that only those persons who have fully completed the form(s) will be permitted to speak.)

MAYOR'S COMMENTS

Mayor Bernero spoke about the final approval of the lease agreement for the Potter Park Zoo that is on the agenda this evening. He asked Council to allow Commissioner Mark Thomas to speak about the lease agreement and the changes that will take place at the Zoo.

Commissioner Mark Thomas, Chair of the Ingham County Board of Commissioners, spoke about the upcoming changes to the Zoo regarding the County taking over the Zoo. He said that this is a good thing for everyone.

Mayor Bernero thanked everyone who was involved in the process for the lease agreement. He spoke about the amendment to the Executive Management Plan. He spoke about the Cesar Chavez Celebration. He spoke about the Adopt-A-River project and urged everyone to come out. He spoke about the Go Green, Go Lansing Initiative. He spoke about the corridor clean up along St. Joe that will take place on Sunday beginning at 11:00 a.m. He spoke about a Fire that occurred at a home in S. Lansing. He said three firefighters were transported to the hospital for minor injuries. He congratulated City Attorney Smith and his wife Janice on the birth of their son Kai.

SHOW CAUSE HEARINGS

- Comment on Scheduled Show Cause Hearings:

There were no Show Cause Hearings

PUBLIC COMMENT ON LEGISLATIVE MATTERS

Public Comment on Legislative Matters:

Legislative Matters included the following public hearings:

1. In consideration of IFT-01-07; 312 Spring St., Application or an Industrial Facilities Tax Exemption Certificate filed by S. S Die Company
2. In consideration of an Obsolete Property Rehabilitation Act (OPRA) District filed by PresVan, LLC for property located at 1820 Sunset Ave. and 2025 Melvin Ct
3. In consideration of an Ordinance to Amend Chapter 10, Section 1026.07, by providing that interest on installment payments for Special Assessments shall be determined by resolution of City Council under Special Assessment Ordinance Chapter 1026

Vice President Jeffries gave a brief overview of Public Hearings 1 and 2.

Councilmember Wood gave a brief overview of Public Hearing #3.

Dale Abronowitz of 1811 Sunset spoke in support of the request for the OPRA on Sunset.

Dan VanAcker of 333 Woodhaven gave additional information on what his company will do with the property on Sunset.

John Pollard of 1718 Blair spoke in support of the OPRA request. He spoke about concerns that he has with the amendment to the Special Assessment.

Darnell E. Oldham Sr of 3815 Berwick Dr spoke about concerns that he has with the amendment to the Special Assessment ordinance. He also spoke in support of the OPRA request.

Charlene Decker of 2711 Pleasant Grove spoke about concerns that she has with the Special Assessment Ordinance.

REFERRAL OF PUBLIC HEARINGS

1. In consideration of IFT-01-07; 312 Spring St., Application for an Industrial Facilities Tax Exemption Certificate filed by S & S Die Company

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

2. In consideration of an Obsolete Property Rehabilitation Act (OPRA) District filed by PresVan, LLC for property located at 1820 Sunset Ave. and 2025 Melvin Ct

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

3. In consideration of an Ordinance to Amend Chapter 10, Section 1026.07, by providing that interest on installment payments for Special Assessments shall be determined by resolution of City Council under Special Assessment Ordinance Chapter 1026

REFERRED TO THE COMMITTEE ON WAYS AND MEANS AND

THE INTERNAL AUDITOR

PUBLIC COMMENT ON CITY GOVERNMENT RELATED MATTERS:

William Hubbell of 3916 Wedgwood spoke about the new members on the Memorial Review Board. He stated that he is happy to have them on board.

John Pollard of 1718 Blair spoke in opposition to the lease agreement for the Zoo. He spoke about charter violations.

Lawrence Green of 112 Main St spoke about comments that have allegedly been made by an elected City Official regarding him.

Frank S. Curtis X of 1137 West Allegan spoke about the recent negative comments that were made by a radio host about a college girl's basketball team and how those comments will effect everyone.

Nathan Dixon of 3300 Averill spoke about the need for a Day of Prayer in the City of Lansing.

Walter Gibson of 5200 Pleasant Grove spoke in support of having a Day of Prayer in the City.

Darnell E. Oldham Sr of 3815 Berwick Dr spoke about concerns that he has with the lease agreement for the Zoo.

Brandy Jonker-Burke of 1728 Cooper gave an update on the restoration of her yard from the CSO project.

Bob Gray of 422 Dadson spoke about concerns with the proposed bike lanes on Mt. Hope.

Tim Elmoore of 1246 Edgewood spoke about trying to get a boycott on fast food restaurants.

Patty Smith of 1124 W. Edgewood spoke about an auto accident that occurred where her son was hit by a Lansing Police Patrol Car.

Charlene Decker of 2711 Pleasant Grove spoke about concerns that she has with the lease agreement for the Zoo.

Mike Parker of 5800 Executive Dr. spoke about the upcoming budget process. He also spoke about the negotiations for Teamsters 580.

LEGISLATIVE MATTERS

RESOLUTIONS

RESOLUTION#109

BY COUNCILMEMBER DUNBAR

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Philip Emeagwali was born in 1954 and raised in the town of Onitsha in South-Eastern Nigeria. His schoolmates nicknamed him "Calculus" after mastering the subject at age 14, and could out- calculate his instructors; and

WHEREAS, at the age of 17, he received a full scholarship to Oregon State University and majored in math. After graduation, he attended George Washington University and received two MA's, one in civil engineering and the other in marine engineering, and a Master's in mathematics from the University of Maryland. He later achieved his doctorate from the University of Michigan in civil engineering (scientific computing); and

WHEREAS, inspired by a 1922 science fiction article on how to use

64,000 mathematicians to forecast the weather for the whole earth, he worked out a theoretical scheme for using 64,000 far-flung processors evenly distributed around the earth to forecast the weather. He called it a HyperBall International Network of Computers. Today, an international network of computers is the Internet; and

WHEREAS, Dr. Emeagwali's greatest achievement was his work on The Connection Machine. This instrument utilized 65,000 computers linked in parallel to form the fastest computer on Earth. This computer can perform 3.1 billion calculations per second. This is faster than the theoretical top speed of the Cray Supercomputer. Though he did not "invent" The Connection Machine, his work on it won Philip Emeagwali the Gordon Bell Prize of 1989. The parallel computer was twice as fast as the previous year's computer. The Connection Machine was a great advancement over previous designs built by IBM's design teams of Thomas J. Watson, Jr. and Fred Brook; and

WHEREAS, Dr. Emeagwali was honored by President Bill Clinton, who called a powerful role model for young people and used the phrase "another Emeagwali" to describe children with the potential to become computer geniuses; and

WHEREAS, during his career, Emeagwali has received many prizes, awards, and honors, including the Computer Scientist of the Year Award of the National Technical Association (1993), Distinguished Scientist Award of the World Bank (1998), Best Scientist in Africa Award of the Pan African Broadcasting, Heritage and Achievement Awards (2001), Gallery of Prominent Refugees of the United Nations (2001), profiled in the book *"Making It in America as one of 400 models of eminent Americans,"* and in Who's Who in 20th Century America;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council hereby wish to congratulate Dr. Phillip Emeagwali on his lifetime of remarkable achievements and thank him for being an inspiration to so many people. We wish you continued success in all your future endeavors!

By Councilmember Dunbar

Motion Carried

RESOLUTION#110

BY COUNCILMEMBER DUNBAR

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Dr. Eugene Cain is a native of Birmingham, Alabama, and graduated from Western Olin High School; and

WHEREAS, he received a Bachelor of Arts in history and economics from Talladega College, in Talladega, Alabama and earned a Master's Degree in education and a Doctorate Degree in curriculum and instruction from Wayne State University in Detroit; and

WHEREAS, Dr. Cain currently serves as the Chief School Administrator at Shabazz Public School Academy; and

WHEREAS, he has previously served in the capacity of classroom teacher, Curriculum Director, Curriculum Consultant, Assistant State School Superintendent, State Director of Compensatory Education, local school superintendent, principal, and the Southeast Regional Development Vice President for Edison Schools, the nation's largest manager of public schools; and

WHEREAS, Dr. Cain is active as a community volunteer in Lansing, where he mentors several students, and is the past Chairman of the Education Committee of the local NAACP Chapter and the United Negro College Fund; and

WHEREAS, he serves on the Advisory Board of the College of Education at Wayne State University; and

WHEREAS, Dr. Cain served as a past Chairman of the National Dropout Prevention Network, an organization that he was instrumental in helping to organize;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council hereby recognizes Dr. Eugene Cain for his many achievements and wishes to extend a warm thank you for his dedication to education and to Lansing's students. We wish you continued success in all your future endeavors!

By Councilmember Dunbar

Motion Carried

RESOLUTION#111

BY COUNCILMEMBER WOOD

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Joan Jackson Johnson has resided in the Lansing area for more than 35 years; and

WHEREAS, Ms. Johnson earned her Bachelor of Science degree from Edward Waters College and an MA and PhD from Michigan State University, is an accomplished psychologist, owner of the East Lansing Center for the Family, and Director of the City of Lansing Human Relations and Community Services Department; and

WHEREAS, Ms. Johnson has been recognized for volunteering her services to the Lansing community with groups such as the Advent House Ministries, the Ingham County Family Court and Truancy Court, and Loaves and Fishes; and

WHEREAS, in addition to providing pro bono professional services to various programs, she coordinates an annual fundraiser, which provided over \$70,000 in 2006 for local programs; and

WHEREAS, Ms. Johnson has an impressive history of community involvement with various organizations including the African American Family Reunion Parade, Advent House Ministries, Capital Area Transportation Authority, Ingham County Child Death Review Board, and the Loaves and Fishes Core Community; and

WHEREAS, she has also served on a number of boards, such as Vice Chair of the Greater Lansing African American Health Institute, Catholic Services/St. Vincent Home, Lansing School District Teen Pregnancy, St. Thomas Aquinas School, and the Lansing Human Relations and Community Services Advisory Board. Ms. Johnson's voice has also served on the Black Child and Family Institute Board of Directors, Child Abuse Prevention, and the Michigan Association for Children with Emotional Disorders; and

WHEREAS, her many honors include the Mother Seaton Services Award, KFC Family of the Year, Advent House Volunteer of the Year, State of Michigan Volunteer Family of the Year, Father Mac Award for Community Service, Modern Woodmen Community Service Award, James Kegal Community Service Award, and the NAACP Citizen of the Year Award; and

WHEREAS, Ms. Johnson has dedicated her time, energy, and heart to helping others improve their quality of life in Lansing and to the betterment of the City for all residents; and

NOW, THEREFORE, BE IT RESOLVED, the Greater Lansing Area Club of the National Association of Negro Business and Professional Women's Clubs will be presenting Ms. Johnson with their coveted Sojourner Truth Award on Saturday, April 24, 2007; and

BE IT FINALLY RESOLVED that the Lansing City Council, hereby, extend its warmest thank you to Joan Jackson Johnson for her many accomplishments and contributions to the Greater Lansing area and its residents. We wish you continued success!

By Councilmember Wood

Motion Carried

RESOLUTION#112

BY COUNCILMEMBER WOOD

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Calvin Jones and his wife Gloria are the proud parents of four adult children who provided them with seven wonderful grandchildren; and

WHEREAS, Mr. Jones attended Eastern High School in Lansing and continued his education at Lansing Community College, earning his Associates degree and finished his B.A. in Education at Ashwood University. He began his professional career at Speaker, Hines and Thomas, a lithography firm in Lansing in 1973, and after working as a graphic arts apprentice for three years, he joined the United States Marine Corp working in Administration/Communication and was honorably discharged in 1976; and

WHEREAS, pursuing his dream of a political career, Mr. Jones graduated from the Community Leadership Development Academy at Lansing Community College in 1990, the Michigan Political Leadership Program at Michigan State University in 1996, the Excellence in Nonprofit Leadership and Management at Michigan State University in 1999, and Leadership Michigan and Michigan Chamber of Commerce in 2005; and

WHEREAS, he became politically active managing and advising candidates on campaigns and is a highly respected for his work with the Lansing Board of Water and Light where he has been employed for more than 31 years. He is currently in charge of Government Relations at the Board; and

WHEREAS, he received the Community Lugnut Service Award from the Lansing Lugnuts and was honored as an "Unsung Hero" by the 2005 Lansing State Journal. He was also awarded the "2006 Most Interesting and Influential" in the New Citizens Press in 2006; and

WHEREAS, Mr. Jones serves as President and Co-founder of the Kim Jones Make It Happen Foundation which recognizes high school seniors which have demonstrated a high level of diverse volunteer activities;

WHEREAS, he serves on numerous boards and commissions, including the Waverly Schools Board of Education, Capital Area United Way Board of Directors, Capital City African American Cultural Association, the Michigan Parade, the Regional Economic Development Team, Michigan Political Leadership Board of Directors, Delta Township Parks, Recreation and Cemeteries Commissioner, Lansing Community College Presidential Screening Committee 2006-7, the Michigan Association of School Board Governmental Relations Committee, Junior Achievement Board of Directors, and the Lansing Regional Chamber of Commerce Board of Directors; and

WHEREAS, Mr. Jones' community involvement and his contributions to the Greater Lansing area are an inspiration and a wonderful example of his dedication to improving the quality of life for Lansing and its residents; and

NOW, THEREFORE, BE IT RESOLVED that the National Association of Negro Business and Professional Women's Clubs will be presenting Mr. Jones with the honorable Frederick Douglass Award on Saturday, April 24, 2007; and

BE IT FINALLY RESOLVED that the Lansing City Council, hereby, wishes to congratulate Calvin L. Jones on his remarkable achievements and many contributions to the City of Lansing. We wish you continued success in all your future endeavors!

By Councilmember Wood

Motion Carried

RESOLUTION#113

BY COUNCILMEMBER WOOD

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Sterling A. Armstrong graduated from Central High School in Detroit, Michigan and continued his education at Michigan State University, and transferred to Spring Arbor University in Jackson, Michigan where he earned a B.A. in Human Resources; and

WHEREAS, Mr. Armstrong served as a Public Safety Supervisor/Officer from 1976 to 1993 for the Lansing School District, providing a safe and secure environment for students and staff, as well as providing supervision of the Lansing School district Public Safety Officers; and

WHEREAS, in 1993, Mr. Armstrong became the Student Services Coordinator for the Lansing School District, helping students with behavioral problems, developing and implementing procedures for taking students and parents to court for poor attendance, and developing procedures for bringing students back from locked up residential facilities; and

WHEREAS, in addition to his work with students, he is also a prolific dance instructor, currently teaching at Capitol City Hustler in Lansing since 2000; and

WHEREAS, he is both an instructor and performer, showcasing his talents in many different forums, including Gregory's Club, Gier Community Center, Riddle Middle School, the Elks Club in Battle Creek, Grant Public School in Detroit, Olivet College, Council of State Governments Conference in Dearborn, the NAACP State Conference, the Blue Cross/Blue Shield Employee Appreciation Day, Breast Cancer Fundraiser, and the UAW Local 602 in Lansing; and

WHEREAS, Mr. Armstrong's unique contributions are delightfully shared by the community and promote community togetherness; and

NOW, THEREFORE, BE IT RESOLVED that the National Association of Negro Business and Professional Women's Clubs will be presenting Mr. Armstrong with the Community Service Award on Saturday, April 24, 2007; and

BE IT FINALLY RESOLVED that the Lansing City Council, hereby, wishes to congratulate Sterling A. Armstrong on being awarded the Community Service Award for his service and dedication to Lansing and its residents. We wish you continued success!

By Councilmember Wood

Motion Carried

RESOLUTION#114

BY COUNCILMEMBER WOOD

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Charles L. Moore, Jr. was raised in Ft. Wayne, Indiana and relocated to Lansing in 1987 and is the proud parent of his 11-year-old daughter, Brianna; and

WHEREAS, Mr. Moore earned his Business Administration Degree from Adrian College, and was granted a license by the State of Michigan to practice public accounting in 1991, and since has been employed by the State of Michigan Department of Commerce as the Supervising Bank Examiner and by the Lansing School District as its Internal Auditor; and

WHEREAS, Mr. Moore owns three businesses in Lansing, C.L. Moore and Associates, P.C., Certified Public Accountants, C.L. Moore Properties, LLC, and Global Concrete; and

WHEREAS, since becoming a resident of Lansing, Mr. Moore has provided countless hours of community service, serving as a Trustee for the Friendship Baptist Church and as its Financial Secretary; and

WHEREAS, Mr. Moore was recently appointed as a board member of the Capital City Airport Authority, and has served as President of the Lansing Micro-Enterprise Fund, a member of the Lansing Franklin Street Housing Co-Op, a member of the Lansing Chamber of Commerce, a member of 100 Black Men of Lansing and the Sigma Upsilon Graduate Chapter of Omega Psi Phi Fraternity; and

WHEREAS, in 1990 he was awarded the Outstanding Young Men of America Award; and

NOW, THEREFORE, BE IT RESOLVED that the National Association of Negro Business and Professional Women's Clubs will be presenting Mr. Moore with the Business Excellence Award on Saturday, April 24, 2007; and

BE IT FINALLY RESOLVED that the Lansing City Council, hereby, wishes to congratulate Charles L. Moore on being awarded the Business Excellence Award and extend a warm thank you for his dedication to Lansing and its residents. We wish you continued success!

By Councilmember Wood

Motion Carried

RESOLUTION#115

BY COUNCILMEMBER WOOD

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Jason Alfred Sherer is the son of Travis and Linda Sherer;

WHEREAS, Jason is a senior at Lansing Catholic High School and plans to attend Hampton University in Hampton, Virginia; and

WHEREAS, Jason will study Pharmacy and Law because of his interest in math, science, research, and providing quality pharmaceutical care to all people and insure that the pharmaceutical companies are legally and morally accountable to the public; and

WHEREAS, he has been a business owner since 2000, running a candy business and a lawn mowing/leaf removal company; and

WHEREAS, he is a dedicated volunteer at the Downtown Homeless Shelter, Saint-Vincent DePaul, the Big Brother/Big Sister Program, as well as helping out his neighbor's with yard work; and

WHEREAS, he has received numerous awards, such as the National Honor Society, Academic Letter, Academic Pin, People to People Leadership Award, Who's Who Among High School Students, Academic Scholar, MLK Essay Scholarship, and Michigan Merit Award; and

WHEREAS, Jason is a member of the Gentlemen of Distinction, Student Senate, Lansing Diversity Council, Youth in Government, the French Club, an Escort Extraordinaire for Les Meres et Debutantes, as well as participating in both basketball and track; and

WHEREAS, he is a lifetime member of the Friendship Baptist Church and has actively participated in Sunday School, Children and Youth Church, Creative Dance Ministry, and the Christmas and Easter programs; and

NOW, THEREFORE, BE IT RESOLVED that the National Association of Negro Business and Professional Women's Clubs will be presenting Mr.

Sherer with the Youth on the Move Award on Saturday, April 24, 2007; and

BE IT FINALLY RESOLVED that the Lansing City Council, hereby, wishes to congratulate Jason Sherer on his accomplishments and to thank him for his service and dedication to the community. We wish you good luck and continued success in all your future endeavors!

By Councilmember Wood

Motion Carried

RESOLUTION#116

BY COUNCILMEMBER WOOD

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Ashlei Kemiya Echols attends Everett High School, maintaining a 3.7 grade point average; and

WHEREAS, she participates in Student Council, the YES Club, Drama Club, and track; and

WHEREAS, Ashlei is a member of the Westside YMCA, the Boys & Girls Club, and the Michigan Girl Scout Council, and participates annually in the Youth Legislative Day at the Capital; and

WHEREAS, she serves as Treasurer for the National Negro Business Professional Women's Club Youth group and is seeking summer employment through the Youth Development Corporation as well as the WEA-Mi Works Youth Program; and

WHEREAS, Ashlei was accepted by ANR Institute for Multicultural Students (AIMS) and Multicultural Apprenticeship Program (MAP) through the College of Agriculture and Natural Resources at Michigan State University; and

WHEREAS, she participates in the Michigan State University King-Chavez-Parks (KCP) program throughout the year; and

WHEREAS, Ashlei was acknowledged by the Lead America Board of Directors and Honorary Board of Advisors to participate in their 2007 conference in recognition of her academic excellence, extracurricular involvement, and leadership potential; and

NOW, THEREFORE, BE IT RESOLVED that the National Association of Negro Business and Professional Women's Clubs will be presenting Ms. Nichols with the Youth on the Move Award on Saturday, April 24, 2007; and

BE IT FINALLY RESOLVED that the Lansing City Council, hereby, wishes to congratulate Ashlei K. Echols on being awarded the Youth on the Move Award for her outstanding achievements and dedication to the community and the City of Lansing. We wish you continued success!

By Councilmember Wood

Motion Carried

RESOLUTION#117

BY COUNCILMEMBER WOOD

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Julian Kranston VanDyke was born in Benton Harbor, to Frank and Carrie Van Dyke; and

WHEREAS, Mrs. Van Dyke encouraged young Julian's interest in art beginning at the age of three and he began drawing posters and popular characters in elementary school in Benton Harbor, Michigan; and

WHEREAS, in high school, Julian began exploring other mediums and studied popular art with the help of his art teachers; and

WHEREAS, Julian studied art at Lansing Community College feeling that the move from Benton Harbor would allow him a bigger audience for his art; and

WHEREAS, he participated in numerous art shows in the Lansing and East Lansing; and

WHEREAS, although Julian worked for a delivery company for 20 years to supplement his income and raise a family, he always maintained studio space in Lansing; and

WHEREAS, his work has shown across the country, and can be seen in a mural for Marshall Fields in Chicago, Illinois, in the Detroit area at Dayton's stores, and on the campus of Michigan State University, where he was one of the first artists to be displayed at the newly constructed School of Business; and

WHEREAS, Julian regularly visits and works with young artists, offering his encouragement in their artistic endeavors; and

NOW, THEREFORE, BE IT RESOLVED that the National Association of Negro Business and Professional Women's Clubs will be presenting Mr. Van Dyke with their Arts Award on Saturday, April 24, 2007; and

BE IT FINALLY RESOLVED that the Lansing City Council, hereby, wishes to congratulate Julian Kranston Van Dyke for his artistic achievements and for his dedication to young artists within the community. We wish you continued success!

By Councilmember Wood

Motion Carried

RESOLUTION#118

BY COUNCILMEMBER WOOD

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Reverend Robert E. Nicholson graduated from J.W. Sexton High School and continued his education at Lansing Community College and transferred to Great Lakes Christian College where he majored in Christian Education and Church Ethics; and

WHEREAS, Reverend Nicholson received his license to Ministry in 1980, and serves as Pastor at the Grace Tabernacle Church; and

WHEREAS, he served as Secretary of the Greater Lansing Ministerial Alliance from 1982 to 1984 and as Vice President from 1984 to 1986; and

WHEREAS, Reverend Nicholson is dedicated to the empowerment of people to become productive members of society, making Christ the central focus of their lives; and

WHEREAS, his sermons have offered inspiration, comfort, and enlightenment to his congregations; and

NOW, THEREFORE, BE IT RESOLVED that the National Association of Negro Business and Professional Women's Clubs will be presenting Reverend Nicholson with the Religion Award on Saturday, April 24, 2007; and

BE IT FINALLY RESOLVED that the Lansing City Council, hereby, wishes to congratulate Reverend Robert E. Nicholson on being awarded the Religion Award and extend a warm thank you for his dedication to Lansing and its residents. We wish you continued success!

By Councilmember Wood

Motion Carried

RESOLUTION#119

BY COUNCILMEMBER WOOD

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Amel Elland transferred from the University of Illinois to pursue a Ph.D. in Music at Michigan State University; and

WHEREAS, he is an accomplished saxophonist and clarinet player; and

WHEREAS, inspired by church involvement to teach, Mr. Elland sought out employment at the Walter French Academy in Lansing, where he taught for six years; and

WHEREAS, Mr. Elland taught at Everett High School for eleven years, and sought to help implement a music program; and

WHEREAS, when the Lansing School District received a grant for a mentoring program, he was invited to pursue it for all of the secondary schools in the district, thereby beginning his administrative career; and

WHEREAS, the mentoring program inspired a job shadowing program that is still in operation through legislative interns and the MSU Upward Bound Program; and

WHEREAS, he instituted a college tour program giving students the opportunity to visit colleges across the United States and visit other sites to enhance their culture; and

WHEREAS, in 2000, Mr. Elland was asked to serve as a substitute Administrator at Sexton High School, where he earned the respect of the parents, staff and students, who petitioned him to return the following year; and

WHEREAS, he currently serves as Assistant Principal at J.W. Sexton High School; and

NOW, THEREFORE, BE IT RESOLVED that the National Association of Negro Business and Professional Women's Clubs will be presenting Amel Elland with the Education Award on Saturday, April 24, 2007; and

BE IT FINALLY RESOLVED that the Lansing City Council, hereby, wishes to congratulate Amel Elland on his being awarded the Education Award for his unwavering dedication to music education and to his students and wish to extend many thanks for his contributions the Lansing and its residents. We wish you continued success!

By Councilmember Wood

Motion Carried

RESOLUTION#120

BY COUNCILMEMBER WOOD

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Renee Freeman, daughter of Fred Lee and Beatrice Morgan, and sister to 5 siblings, is a proud mother of daughter, Tonica A. Champion-Kersey; and

WHEREAS, Renee graduated from Murray-Wright High School and sought immediate employment at the Michigan Association for Children with Emotional Disorders, which is a UnitedWay affiliate that advocates for families and children with emotional disorders; and

WHEREAS, for more than fourteen years, Ms. Freeman was a small business co-owner of Fort Knox Jewelry, a retail jewelry store, and Freeman Munchies, a food concession stand; and

WHEREAS, in 2001, Ms. Freeman relocated to Lansing where she served as Representative Virg Bernero's Special Assistant, responsible for his personal schedule, the administrative functions of the office, supervision of staff, interns, and volunteers; and

WHEREAS, after serving for two years in the Michigan House of Representatives, Ms. Freeman moved up with Virg Bernero to the Michigan State Senate, again serving the City of Lansing and Ingham County; and

WHEREAS, in 2006, Senator Virg Bernero was elected to serve as Mayor of the City of Lansing and Renee once again made the transition with him to and maintains the position of Office Manager, overseeing the Administrative functions of the office and serving as the Mayor's assistant, working diligently on behalf of the citizens residing in the City of Lansing; and

WHEREAS, Ms. Freeman is continuing her education after more than 30 years in Administrative Management, attending Davenport University to earn her Bachelors Degree in Business Management; and

WHEREAS, Renee is a member of the Greater Lansing Area Club of the National Association of Negro Business and Professional Women's Club, serving as its Membership Chairperson and has served as Chairperson of its annual Founders' Day Awards Brunch for the past three years; and

WHEREAS, Renee instituted the ShoeboXpress Ministry, an outreach ministry that provides ready to eat food, and toiletries to the homeless; and

WHEREAS, she has served as Co-Chair of the Adult Ministry, Co-Chair of the Annual Women's Day, and is an Angel Helper of Wilma's Angel of Mercy Community Outreach Group in Detroit, Michigan; and

NOW, THEREFORE, BE IT RESOLVED, that the Lansing City Council, hereby, wishes to congratulate Renee Freeman on being awarded the Political Government Non-Politician Award and thanks her for her many contributions to the City of Lansing. We wish you continued success!

By Councilmember Wood

Motion Carried

RESOLUTION#121

BY COUNCILMEMBER WOOD
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Michael McFadden is a lifetime resident of Lansing; and

WHEREAS, he is an active member of Friendship Baptist Church, a devout Christian, dedicated husband, and proud father and grandfather; and

WHEREAS, Mr. McFadden majored in Telecommunications at Michigan State University and has had a successful 30 year broadcasting career, including radio stations in Lansing, New York, and several years as a television reporter at CBS affiliate TV-6 News; and

WHEREAS, he currently runs the morning show and is a Sales Representative at WWSJ Joy 1580, Lansing's only Gospel Radio Station; and

WHEREAS, Mr. McFadden is dedicated to the community and is actively involved with the Lansing School District, the African American Parade, and Family Heritage Festival, the Lansing Juneteenth Committee, the

Black Child and Family Institute, and is Chairman of the City of Lansing Telecommunications Advisory Board; and

WHEREAS, Michael commands his motto, which states that "God is good to me, and I want to be a blessing to my community"; and

NOW, THEREFORE, BE IT RESOLVED that the National Association of Negro Business and Professional Women's Clubs will be presenting Mr. McFadden with the Radio and Television Award on Saturday, April 24, 2007; and

BE IT FINALLY RESOLVED that the Lansing City Council, hereby, wishes to congratulate Mr. McFadden on being awarded the Radio and Television Award and extend its warmest thank you for his dedication to Lansing and its residents. We wish you continued success!

By Councilmember Wood

Motion Carried

RESOLUTION#122

BY THE COMMITTEE ON GENERAL SERVICES
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Handicapper Advocacy Alliance, Inc. doing business as Capital Area Center for Independent Living has requested a resolution in recognition as a Local Nonprofit Organization operating in the City of Lansing for a charitable gaming license pursuant to MCL 432.103 (9); and

WHEREAS, the City Attorney has reported that, based on research and a review of the documentation submitted, the applicant qualifies as a Local 501 (c) (3) Nonprofit Organization;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council, hereby, recognizes the Handicapper Advocacy Alliance, Inc. doing business as Capital Area Center for Independent Living as a Nonprofit Organization operating in the City of Lansing for the purpose of obtaining a charitable gaming license to conduct fundraising events in partnership with the Lansing Poker League.

BE IT FURTHER RESOLVED the City Clerk is requested to provide a copy of this resolution to Patrick L. McSherry, of the Handicapper Advocacy Alliance, Inc. doing business as Capital Area Center for Independent Living, 1026 East Michigan Avenue, Lansing, Michigan 48912.

By Councilmember Kaltenbach

Motion Carried

RESOLUTION#123

BY THE COMMITTEE ON WAYS AND MEANS
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Mayor submitted in writing revisions to the current Executive Management Fringe Benefits Plan, formerly know as the Executive Pay Plan, for the Council's consideration and approval pursuant to Chapter 286, Section 286.05 of the Lansing Codified Ordinances; and

WHEREAS, the Lansing City Council reviewed the changes submitted and recommended revisions to the Executive Management Fringe Benefits Plan; and

WHEREAS, the Mayor's revised Executive Management Fringe Benefits Plan has been resubmitted and the Committee on Ways and Means concurs therewith;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council approves the April 13, 2007, amended Executive Management Fringe Benefits Plan as attached hereto;

BE IT FURTHER RESOLVED that the Executive Management Fringe Benefits Plan be retained on file in the office of the City Clerk.

By Councilmember Wood

Motion Carried (Councilmembers Jeffries and Wood Dissenting)

RESOLUTION#124

BY THE COMMITTEE ON WAYS & MEANS
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

That the following FY 2007 transfers be approved:

City Council

AMOUNT TO TRANSFER	TRANSFER FROM ACCOUNT #	TRANSFER TO ACCOUNT #
\$ 5,500.00	Salaries 101.112101.702000.0	
\$ 5,500.00		Equipment <\$5,000 101.112101.977101.0

(To transfer funds sufficient to purchase two replacement computers and peripherals for City Council operations, including the forthcoming budget hearings.)

By Councilmember Wood

Motion Carried

RESOLUTION#125

BY COMMITTEE OF THE WHOLE
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the U.S. Department of Housing and Urban Development requires that the City of Lansing submit a Five-Year and Annual Consolidated Strategy and Plan Submission in order to receive Community Development fund resources, including Community Development Block Grant, HOME and Emergency Shelter Grant program funds, for the upcoming fiscal year 2007-2008; and

WHEREAS, a public hearing must be held in consideration of the CSPS in order to receive Community Development fund resources;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council set a public hearing for Monday, April 23, 2007, of the Consolidated Strategy and Plan Submission;

BE IT FURTHER RESOLVED that the City Clerk submits notice of the public hearing to the public.

By Councilmember Jeffries

Motion Carried

RESOLUTION#126

BY THE COMMITTEE OF THE WHOLE
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Mayor presented his budget to the Lansing City Council on March 26, 2007; and

WHEREAS, the City Charter provides that the City Council hold a public hearing on the proposed budget to afford the public an opportunity to give comments on the proposed City budget; and

WHEREAS, the City Council is scheduled to hold Committee of the Whole/ Budget meetings on April 19, 24, 26, and 27, and May 2, 3, and 4, and 14, 2007, with the Administration to obtain specific information and clarity on the departments' operations and obligations along with offering the public an opportunity to comment on the proposed budget; and

WHEREAS, Public Act 5 of 1982, as amended, provides that units, such as the City of Lansing, which are in compliance with Section 16 of the Uniform Budgeting and Accounting Act, (P.A. 2 of 1968, as amended) must provide appropriate public notice that a public hearing will be held on the budget and on the property tax millage rate necessary to support the budget;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, schedules a public hearing for Monday, May 14, 2007, at 7:00 p.m. in the Lansing City Council Chambers, 10th Floor City Hall, 124 W. Michigan, Lansing, Michigan in consideration of the proposed budget.

By Councilmember Jeffries

Motion Carried

RESOLUTION#127

BY THE COMMITTEE OF THE WHOLE
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Councilmember Randy Williams tendered his resignation, which was received and read into the record at the Lansing City Council Meeting on April 9, 2007;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, with deep regret, hereby, accepts the resignation of Councilmember Randy Williams.

BE IT FURTHER RESOLVED that Lansing City Council expresses its sincere appreciation for Councilmember Williams' contributions to the community, especially the work in the Third Ward, and that he will be deeply missed by Council and the Third Ward constituency.

By Councilmember Jeffries

Motion Carried

RESOLUTION#128

BY THE COMMITTEE OF THE WHOLE
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the 3rd Ward Councilmember has tendered his resignation to City Council; and

WHEREAS, the Committee of the Whole has considered the process for filling the vacancy of the 3rd Ward position;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council will use the following process to fill the 3rd Ward Councilmember vacancy:

1. The Council President will announce that applications for the vacancy will be accepted in the City Clerk's Office starting Tuesday, April 17, 2007, until Thursday, April 26, 2007, at 4:00 p.m.
2. The City Clerk will review the applications and supporting documentation and determine the applicants that qualify to be considered for the 3rd Ward vacancy.

3. All meetings shall be properly noticed and held on the 10th floor of the Lansing City Hall.
4. On Tuesday, May 1, 2007, at 6:00 p.m., the Council will hold a Committee of the Whole meeting to interview the qualified applicants. Each interview will be scheduled for 15 minutes. On Wednesday, May 2, 2007 at 6:00 p.m., the Council will hold another Committee of the Whole meeting to complete the interviews of qualified applicants, if needed.
5. Following all interviews, the Council will select three candidates as finalists for the next round of interviews:
 - Councilmembers will select the three candidates by paper ballots, which will include each councilmember's name and signature.
 - Each Councilmember may select up to three candidates, but is not required to do so.

Councilmembers may not vote for the same candidate more than once.

The ballots will be collected and tallied and the votes of each Councilmember will be read into the record.

 - The top three vote getters from the combined ballots will be the three finalists.
6. The Council will select a person to fill the 3rd Ward vacancy from among the top three finalists.
7. On Thursday, May 3, 2007 at 6:00 p.m., the Council will hold a Committee of the Whole meeting to interview the three final candidates:
 - Prior to the finalists interviews, public comment will be taken, which shall be limited to 30 minutes total and shall require advance sign-in consistent with Council Rule 19. Each finalist's interview shall last no longer than 30 minutes.
 - Following discussion at the May 3, 2007, meeting, Councilmembers will vote to nominate the candidate to fill the 3rd Ward Council seat. Each Councilmember will vote for not more than one finalist.

The candidate receiving the most votes will become the sole nominated candidate to fill the vacant seat.

 - The Committee of the Whole will sponsor a resolution of appointment and pass the resolution out of the Committee for Council consideration and action at the May 7, 2007 regular Council meeting.

The first item on the agenda for the May 7, 2007, regular Council meeting will be the resolution appointing a new Councilmember to fill the vacant 3rd Ward seat, and the swearing in of that new Councilmember upon the passage of the resolution. (with seven Councilmembers serving, four votes will constitute a majority and will be sufficient for passing a motion and adoption of a resolution)

By Councilmember Jeffries

Motion Carried

RESOLUTION#129

BY THE COMMITTEE OF THE WHOLE
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Capital Area Cesar E. Chavez Commission has dedicated their work to proclaim the life, visions, and work of Cesar E. Chavez; and

WHEREAS, Cesar E. Chavez co-founder and President of the United Farm Workers of America, AFL-CIO, demonstrated just treatment for migrant farm workers through non-violent demonstrations; and

WHEREAS, on Wednesday, April 18, 2007, the Capital Area Cesar E. Chavez Commission will be celebrating their 12th Annual Cesar E. Chavez Celebration at the Lansing Center;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council commends the Commission for their hard work and dedication honoring the life and legacy of the great American hero and labor leader – Cesar E. Chavez.

BE IT FURTHER RESOLVED that "The Movement for Justice Continues" through the Commission's achievements and by increasing individual awareness.

By Councilmember Jeffries

Motion Carried

RESOLUTION#130

BY THE COMMITTEE OF THE WHOLE
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, an Agreement between County of Ingham and City of Lansing for the Lease and Operation of Potter Park Zoo (the "Agreement") has been presented for approval; and

WHEREAS, on August 7, 2006, the City passed Resolution # 385, expressing the City's intent to enter into negotiations for a conditional agreement with Ingham County to lease, operate, and maintain Potter Park and the Potter Park Zoo, within certain expressed parameters; and

WHEREAS, the voters of Ingham County, Michigan passed a millage to support Potter Park and the Potter Park Zoo on November 7, 2006; and

WHEREAS, the City and Ingham County have reached an agreement regarding such conditional agreement as expressed in the attached Agreement Between County of Ingham and City of Lansing for the Lease and Operation of Potter Park and Potter Park Zoo (hereinafter, the "Agreement") which conforms to the conditions set forth by both the City and Ingham County in parallel, detailed resolutions by the Lansing City Council and the Ingham County Board of Commissioners, respectively; and

WHEREAS, the Agreement provides for the lease, operation and maintenance of Potter Park and Potter Park Zoo by Ingham County; and

WHEREAS, the Agreement supports and benefits the City and the County;

NOW, THEREFORE, BE IT RESOLVED that the Agreement Between County of Ingham and City of Lansing for the Lease and Operation of Potter Park and Potter Park Zoo is approved and the Mayor, on behalf of the City of Lansing, is authorized to execute it after approval as to final form by the City Attorney.

By Councilmember Jeffries

Motion Carried

REPORTS FROM COUNCIL COMMITTEES

There were no Committee Reports

ORDINANCES FOR INTRODUCTION

There were no Ordinances for Introduction

ORDINANCES FOR PASSAGE

There were no Ordinances for Passage

REPORTS FROM CITY OFFICERS, BOARDS, AND COMMISSIONS; COMMUNICATIONS AND PETITIONS; AND OTHER CITY RELATED MATTERS

By Councilmember Jeffries that all items be considered as being read in full and that President Leeman make the appropriate referrals

Motion Carried

* Reports from City Officers, Board and Commissions:

- a. Letter from the City Clerk submitting minutes of Boards and Authorities placed on file in the City Clerk's Office

RECEIVED AND PLACED ON FILE

- b. Letter from the City Clerk regarding the Elected Officers Compensation Commission's Determination

REFERRED TO THE COMMITTEE OF THE WHOLE

- c. Letter from the City Attorney re: Dawn Vinton v Clinton-Eaton-Ingham Community Mental Health, et al

RECEIVED AND PLACED ON FILE

- d. Letters from the Mayor re:
 - i. ACT-2-07; 200 Block E. Grand River Ave., Planning Board recommendations regarding a request filed by River North, LLC for easement and air rights

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

- ii. Z-1-2007; 3811 Aurelius Rd., Planning Board recommendations regarding a request filed by Robert Ford to convert the existing building into a duplex

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

- iii. Application for an Obsolete Property Rehabilitation Act (OPRA) Certificate for property located at 319 E. Grand River filed by 2nd Wave, LLC

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

- iv. Planning Board recommendations regarding City of Lansing's FY 2008 Capital Improvements Budget

REFERRED TO THE COMMITTEE OF THE WHOLE AND REFERRED TO BUDGET

- v. Transfer of Funds; 410 fund (Scott Woods Dog Park Project); and Acceptance of donated funds from the Friends of Greater Lansing Dog Parks, Soldan Family, and Ingham County

REFERRED TO THE COMMITTEE ON WAYS AND MEANS AND THE INTERNAL AUDITOR

- vi. Appointment of Thomas Hay to the Elected Officers Compensation Commission for a Term to Expire October 1, 2008

REFERRED TO THE COMMITTEE OF THE WHOLE

- vii. Appointment of Marilyn Plummer to the Elected Officers Compensation Commission for a Term to Expire October 1, 2012

REFERRED TO THE COMMITTEE OF THE WHOLE

- viii. Appointment of Kris Elliott to the Principal hopping District's Downtown Business Owners representative for a Term to Expire June 30, 2010

REFERRED TO THE COMMITTEE ON PUBLIC SERVICE

- ix. Reappointment of Stuart Wilson to the Capital Area District Library Board of Directors for a Term to Expire April 15, 2011

REFERRED TO THE COMMITTEE ON INTERGOVERNMENTAL RELATIONS

- x. Appointment of Greg Koessel to the Lansing Employees Retirement Board of Trustees as the Retiree Representative for a Term to Expire June 30, 2009

REFERRED TO THE COMMITTEE ON WAYS AND MEANS AND THE INTERNAL AUDITOR

- * Draft Ordinance to Amend the Code of Ordinances of the City of Lansing, MI, by adding Section 810.22 authorizing a New Video Service Franchise Agreement with Comcast of Michigan, LLC and establishing video service provider fees

*SUSPENSION ITEM-REFERRED TO THE COMMITTEE OF THE WHOLE

* Communications and Petitions, and Other City Related Matters:

- a. Letter from Michigan Department of Labor & Economic Growth Liquor Control Commission providing a 15-Day Notice of an application filed by Bitta, LLC to Transfer Ownership of a 2006 SDM License located at 820 W. Miller Rd. from Sody, Inc.

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

- b. Notice from the State of Michigan Department of Environmental Quality Water Division of the issuance of a

2007 Campground License #L-2100-33 to Life O Riley Mobile Home Park, located at 6726 S. Washington

REFERRED TO THE PLANNING AND DEVELOPMENT DEPARTMENT AND REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

- c. Letter from Comcast Cable submitting an Application for a Uniform Video Service Local Franchise Agreement for with City of Lansing

REFERRED TO THE COMMITTEE OF THE WHOLE

- d. Letter from David K. Riddle of 2114 E. Kalamazoo St. regarding an assessed Property Transfer Affidavit penalty

REFERRED TO THE CITY ASSESSOR AND REFERRED TO THE CITY ATTORNEY

- e. Notification from the State of Michigan Liquor Control Commission of a Scheduled Appeal Hearing on Tuesday, April 17, 2007 regarding the Denial of an Application filed by Absolut Inc. to Transfer ownership of a 2006 SDD and SDM licensed business with Sunday Sales Permit, from Sat Sang Inc. located at 428 S. Washington, Lansing, MI, Ingham County

RECEIVED AND PLACED ON FILE

- f. Application for Community Funding filed by Capital Foundation for Arts and Culture for their "Colors of Salsa" Festival to be held June 2, 2007

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

- g. Letter from Comcast Cable providing notice of the availability of Digital Voice service

REFERRED TO THE CABLE AND TELECOMMUNICATIONS ADVISORY BOARD

- * Letter from Denise Eckman of 715 W. Northrup St. regarding the possible reconstruction of Northrup St.

*SUSPENSION ITEM-REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

MOTION OF EXCUSED ABSENCE

REMARKS BY COUNCILMEMBERS

President Leeman asked the Administration if they could look into a issue regarding the need for a fence at E. Oakland and Ballard due to construction that was done there. He said that he received an e-mail regarding houses that are in the process to be demolished and requested a list to be compiled and brought to the Council and to the Public Safety Committee. He spoke about the need to keep up on Make-Safe or Demolish properties and make sure that the process is moving forward.

City Clerk Swope said that anyone who is interested in applying for the vacant 3rd Ward Council Seat applications are available in the Clerk's Office or on the Clerk's website.

REMARKS BY THE MAYOR OR EXECUTIVE ASSISTANT

Jerry Ambrose, Executive Assistant to Mayor Bernero thanked Council

for approving the changes to the Executive Plan as well as approving the Zoo lease. He spoke about the design concepts for Francis Park presentation. He said it will be held on Wednesday at 7:00 p.m. at the Lansing Center.

ADJOURNED TIME 9:53 P.M.

CHRIS SWOPE, CITY CLERK



**OFFICIAL PROCEEDINGS OF
THE CITY COUNCIL
CITY OF LANSING
PROCEEDINGS OF APRIL 23, 2007**

City Council Chambers
Lansing, Michigan

The City Council of the City of Lansing met in regular session and was called to order at 7:00 p.m. by President Leeman.

PRESENT: Councilmembers Allen, Dunbar, Jeffries, Kaltenebach, Leeman, Quinney, Wood

ABSENT: None

Meditation and Pledge of Allegiance led by President Leeman

APPROVAL OF MINUTES

By Councilmember Jeffries

To approve the printed Council Proceedings of April 9, 2007

Motion carried

CONSIDERATION OF LATE ITEMS

By Vice President Jeffries

To suspend City Council Rule #11 to allow for Consideration of Late Items

Motion carried

The following items were added to the agenda:

1. From Councilmember Kaltenebach; Letter from the Mayor adding Abigail Campana to the School for the Blind Historic District Study Commission to represent the Neighborhood interest
2. From Councilmember Leeman; To add a Special Ceremony in recognition of Benten Cousineau, winner of the 2007 Earth Day Poster Contest

TABLED ITEMS

SPECIAL CEREMONIES

• Special Ceremonies

1. Proclamation; Designating the Week of April 23 as "Arbor Week" in the City of Lansing

Mayor Bernero stated that Arbor Day was originally celebrated on April 10, 1872. He thanked Paul Dykema for his Arbor Day contributions.

Paul Dykema stated that Arbor Day will be celebrated on Friday, April 27, 2007 at 11:30 a.m. at Potter Park Zoo. He encouraged everyone to attend this year's celebration.

President Leeman thanked Paul for all the trees that he has serviced in the City.

2. Presentation; In recognition of Benten Cousineau, winner of the 2007 Earth Day Poster Contest

Mayor Bernero stated that Benten Cousineau won 1st place for the Earth Day Poster Contest. Benten is a 3rd grader at Edgewood Montessori School. He thanked Ben for being aware of the importance of saving energy.

President Leeman congratulated Ben and appreciates everything that he has done to help make people aware of the need to conserve energy.

**COUNCILMEMBERS' COMMENTS
AND CITY CLERK'S ANNOUNCEMENTS:**

Councilmember Dunbar stated that on Tuesday, April 24 there is a meeting at the South Precinct from 6:00 p.m. to 8:00 p.m. on Neighborhood Watch programs. CASART will be meeting on Wednesday from 6:00 p.m. to 8:00 p.m. at the Sparrow Professional Building in the E-Room.

Councilmember Allen announced that the Physical Environmental Committee will be meeting at 12:00 p.m. on Tuesday at the South Precinct.

Councilmember Quinney announced that UAW 652 will be hosting a celebration gathering for Cesar Chavez on Sunday, April 29 at 3:00 p.m. He also wished his daughter a Happy Birthday.

Councilmember Allen wished Councilmember Quinney a Happy Birthday.

Councilmember Dunbar announced that on Tuesday beginning at 12:30 p.m. at the Capitol, there will be a press conference for the Children's Trust Fund.

Councilmember Wood sent her condolences to the family of Loren Graham. She stated that Loren passed away this past weekend and he was a big community supporter. She announced that his funeral will be held on Tuesday. On Tuesday, the Coachlight Neighborhood Association will meet at Mt. Calvary Church at 6:00 p.m. The next community budget meeting will be at 6:00 p.m. at Dwight Rich School on Tuesday. Friday at 12:00 p.m. is the Special Olympics Luncheon at Outback Steakhouse.

President Leeman announced that the North Town Neighborhood Association will be meeting on Tuesday at 6:30 p.m. at Grand River School. The 4th Annual Lloyd Teets Celebration will be on Sunday at Corey's from 5:00 p.m. to 8:00 p.m.

City Clerk Swope stated that applications to fill the 3rd Ward Council Seat vacancy are now being accepted in the City Clerk's Office and the deadline to file is April 26 at 4:00 p.m. He stated that May 15 at 4:00 p.m. is the deadline for anyone interested in running for a City Council Seat for this fall's elections. He said that the East Lansing, Holt, and Waverly school districts are having elections on May 8 election; some Lansing voters live in those districts.

SPEAKER REGISTRATION FOR PUBLIC COMMENT

(Clerk Swope announced that the public comment registration form(s) for those intending to address Council on legislative or City government matters will be collected and that only those persons who have fully completed the form(s) will be permitted to speak.)

MAYOR'S COMMENTS

Mayor Bernero wished Councilmember Quinney a Happy Birthday. He spoke about the celebration of Earth Day in the City. He spoke about the Adopt-A-River Cleanup event that took place on Saturday. He spoke about the Saginaw Corridor cleanup that also took place on Saturday. He spoke about the I-496 corridor cleanup that took place on Sunday. He thanked all of the City residents as well as City Employees for taking the time out of their days to cleanup Lansing. He spoke about the Downtown Spring Cleanup that will take place on Thursday. He spoke about several items on the agenda for approval this evening. He spoke about the kickoff of the rain garden project on Michigan Ave. He spoke about the Cinderella's Closet event that took place in Holt on Saturday and thanked everyone who worked on this event. He sent out his condolences to Eric Hart and his family for the loss of his Grandmother.

Councilmember Wood asked the administration to look into a problem with standing water in the Pierce Road area. She said that she received an email from a resident asking if the separation project could be pushed down about 50 feet.

Councilmember Dunbar said that President Leeman should be recognized as being a supporter of the Rain Garden project.

Councilmember Allen asked the administration if they could assist a resident with helping in the cleanup efforts of the overpass on Martin Luther King Jr. Blvd.

President Leeman stated that a lot of groups and organizations that have helped cleanup the area of Kalamazoo Street over the past few weeks. He thanked them for their efforts.

SHOW CAUSE HEARINGS

- Comment on Scheduled Show Cause Hearings:

There were no Show Cause Hearings

PUBLIC COMMENT ON LEGISLATIVE MATTERS

- Public Comment on Legislative Matters:

Legislative Matters included the following public hearings:

1. In consideration of the City of Lansing Consolidated Strategy and Plan Submission Action Plan (CDBG) for FY 2008
2. In consideration of an Ordinance to amend the Code of Ordinances of the City of Lansing by amending Chapter 884, and adding a new section 884.11 for the purpose of providing a Payment of Service Charge in Lieu of Taxes (PILOT) for forty-four low or moderate income elderly dwelling units in a project know as the "Abigail" located at 715 W. Willow, pursuant to the provisions of the State Housing Development Authority Act of 1966

Vice President Jeffries gave a brief overview of Public Hearing #1 and #2.

Herman Proby of 835 Genesee spoke in support of funding for the Black Child and Family Institute.

John Pollard of 1718 Blair spoke about concerns that he has with some of the funding for CDBG.

Darnell E. Oldham Sr of 3815 Berwick Dr spoke about concerns that he has with the pilot program. He also spoke in support of increasing funding for some of the groups listed in the CDBG.

Robert Bennett of 907 Chicago spoke in support of the School for the

Blind project for the Lansing Housing Commission.

Susan Cancro of 743 N. Martin Luther King Jr. Blvd spoke in support of the resolution for helping the homeless.

PUBLIC COMMENT ON CITY GOVERNMENT RELATED MATTERS:

Bob Gray of 422 Dadson spoke about a Supreme Court Justice turning in his vehicle. He said that all top officials should do the same thing. He spoke about adding another minute to the speaking time.

Wilnell Henry of 426 W. Oakland spoke about the possible release of prisoners and what they will need when they come out to get them started in their lives.

Stan Shuck of 818 Cooper spoke about letters that were mailed out by the Personnel Department to seasonal workers that were dated at the beginning of the month. He also spoke about the union grievance process.

John Pollard of 1718 Blair spoke about the lease agreement with the County regarding the Zoo.

Manuela Kress of 1712 E. Michigan Ave spoke about an event called "Dream Girl" that is scheduled for May 18 for the Greater Lansing Women's Center.

Brandy Jonker-Burke of 1728 Cooper spoke about some mini motorcycles that are in her neighborhood. She said that these are dangerous because you can't see them if you are in a vehicle backing up.

Robin Ross of 231 East Rd spoke about the Greater Lansing Women's Center and what they have done to help her.

Frank S. Curtis X of 1137 West Allegan spoke about a speaker from last week's meeting. He also spoke about the release of some prisoners from Jail.

Darnell E. Oldham Sr of 3815 Berwick Dr spoke about concerns that he has with the Southside Community Center being placed at the Hill Center.

LEGISLATIVE MATTERS

REFERRAL OF PUBLIC HEARINGS

1. In consideration of the City of Lansing Consolidated Strategy and Plan Submission Action Plan (CDBG) for FY 2008

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

2. In consideration of an Ordinance to amend the Code of Ordinances of the City of Lansing by amending Chapter 884, and adding a new section 884.11 for the purpose of providing a Payment of Service Charge in Lieu of Taxes (PILOT) for forty-four low or moderate income elderly dwelling units in a project know as the "Abigail" located at 715 W. Willow, pursuant to the provisions of the State Housing Development Authority Act of 1966

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

RESOLUTIONS

RESOLUTION#131

BY THE COMMITTEE ON DEVELOPMENT AND PLANNING
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

Obsolete Property Rehabilitation Act: 1820 Sunset Ave/2025 Melvin Ct. Former Trumark Building

WHEREAS, the prospective owner of property located at 1820 Sunset Ave/2025 Melvin Ct. in the City of Lansing, Michigan (the "Property") has requested in writing that the City of Lansing establish an Obsolete Property Rehabilitation District (the "District") as enabled by Public Act 146 of 2000, the "Obsolete Property Rehabilitation Act" (the "Act"), and

WHEREAS, the current owner is PresVan LLC, hereinafter called the "Developer", and

WHEREAS, the owner is presently the legal owner of greater than fifty percent (50%) of all taxable value of the property located within the proposed District, and

WHEREAS, the owner has, in writing, requested the District for the Property and for the City of Lansing to take all necessary steps and actions to establish the District on their behalf, and

WHEREAS, the property in question and the proposed boundary of the District is legally described as:

COM 110 FT E OF NW COR LOT 37, TH N 199.58 FT, E 202.82 FT, S 199.58 FT, W 202.82 FT TO BEG; ALSO LOT 37 EXC W 110 FT; ASSESSOR'S PLAT NO 11 and,

WHEREAS, the Act requires that before establishing the District the Lansing City Council hold a public hearing in order to provide an opportunity for owners, residents or other taxpayers of the City of Lansing to appear and be heard regarding the establishment of the District and that said public hearing was held on April 16, 2007;

NOW THEREFORE BE IT RESOLVED that the following property is hereby approved and established as an Obsolete Property Rehabilitation District as provided by Public Act 146 of 2000:

COM 110 FT E OF NWCOR LOT 37, TH N 199.58 FT, E 202.82 FT, S 199.58 FT, W 202.82 FT TO BEG; ALSO LOT 37 EXC W 110 FT; ASSESSOR'S PLAT NO 11 and,

BE IT FINALLY RESOLVED that this resolution shall not be construed as the City Council's approval of any future application for an Obsolete Properties Rehabilitation Exemption Certificate for the Developer or any other applicant.

By Councilmember Jeffries

Motion Carried

RESOLUTION #132

BY THE DEVELOPMENT AND PLANNING COMMITTEE
RESOLUTION TO SET A PUBLIC HEARING REGARDING THE
ESTABLISHMENT OF AN OBSOLETE PROPERTY
REHABILITATION EXEMPTION CERTIFICATE
319 E Grand River – 2nd Wave LLC

WHEREAS, 2nd Wave LLC, owner of property located at 319 East Grand River in the City of Lansing, Michigan (the "Property") has applied to the City of Lansing for the City to approve the issuance of an Obsolete Property Rehabilitation Exemption Certificate (the "OPT Certificate"), pursuant to the Michigan Obsolete Property Rehabilitation Act, being Public Act 146 of 2000 (the "Act"); and

WHEREAS, the property in question of the Certificate is legally described as: E 85 FT OF W 110 FT LOT 25 ASSESSORS PLAT NO 31 OF BLOCK 6 ORIG PLAT.; and

WHEREAS, an Obsolete Property Rehabilitation District was established by the Lansing City Council on March 26, 2007 in accordance with the act; and

WHEREAS, the Act requires that before granting a Certificate the Lansing City Council hold a public hearing in order to provide an opportunity for the applicant, the City Assessor, a representative of the affected taxing units, the residents, and other taxpayers of the City of Lansing general public appear and be heard regarding the approval of the OPT Certificate.

NOW THEREFORE BE IT RESOLVED that a public hearing be held in the City Council Chambers of the City of Lansing, 10th Floor, Lansing City Hall, Lansing, Michigan, on the 14th day of May, 2007 at 7:00 p.m. for the purpose of receiving public comment on the establishment of an Obsolete Property Rehabilitation Certificate under the provisions of Public Act 146 of 2000 and that the Clerk shall publish once in a publication of general circulation within the community a notice of the scheduled public hearing and that the notice appear not less than 10 or more than 30 days prior to the date of the hearing and that the Clerk also cause the owner of property within the proposed district to receive written notice of the public hearing to be delivered by certified mail.

By Councilmember Jeffries

Motion Carried

RESOLUTION #133

BY THE PLANNING AND DEVELOPMENT COMMITTEE
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING
S & S Die Company

WHEREAS, the Lansing City Council has previously created Lansing Industrial Development District (IDD-01-2007) on March 5, 2007 on the property located at 905 River Street, 830 River Street, 300 Spring Street, and 312 Spring Street in the City of Lansing, Michigan.

WHEREAS, the City of Lansing received and filed an application from S & S Die Company requesting an Industrial Facilities Exemption Certificate (IFT-01-07) for personal property investments located at 312 Spring St. pursuant to Public Act 198 of 1974, as amended; and

WHEREAS, a public hearing was held April 16, 2007, on the Industrial Facilities Exemption Certificate (IFT-01-07) filed by S & S Die Company, at which all owners of real and personal property within IDD-01-2007, other City residents and taxpayers, the assessor and the representatives of the legislative body of each taxing unit that levies ad valorem taxes for the IDD-01-2007 area had the opportunity to appear and be heard; and

WHEREAS, S&S Die Company. has substantially met all of the requirements for said Exemption Certificate as required by Public Act 198 and by the policies of this Council;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council finds and determines that the granting of this Industrial Facilities Exemption Certificate for personal property under Public Act 198, shall not have the effect of substantially impeding the operation of the City of Lansing, nor impairing the financial soundness of any taxing unit which levies ad valorem taxes in the City of Lansing.

BE IT FURTHER RESOLVED that the Lansing City Council hereby approves the application of S & S Die Company for an Industrial Facilities Exemption Certificate (IFT-01-07), for personal property investments in the area of IDD-01-2007 legally described as:

THAT PART BLOCK 225 LYING N'LY & E'LY OF A LINE COM 202.63 FT S OF NE BLOCK COR, TH N 80DEG 08MIN 47SCD W 15.14 FT, S 09DEG 51MIN 13 SCD E 5 FT, N 80DEG 08MIN 47SCD W 84 FT, N 09DEG 51MIN 13SCD E 35 FT, N 80DEG 08MIN 47SCD W 59.55 FT, N 20DEG 08MIN 47SCD W 106.65 FT, N 80DEG 08MIN 47SCD W 58.31 FT, TO E LINE RIVER WALK, N 15DEG 49MIN 05SCD E 58.31 FT TO POE; BLOCK 225 ORIG PLAT

for a period of (12) years, after project completion, provided that this resolution shall be effective upon the execution of a written Industrial Facilities Exemption Certificate Agreement between S & S Die Company and the City of Lansing, in the form as filed with the City Clerk.

BE IT FINALLY RESOLVED that the Mayor, on behalf of the City, is authorized to execute the afore stated agreement, subject to prior approval thereof as to form by the City Attorney.

By Councilmember Jeffries

Motion Carried

RESOLUTION #134

BY THE COMMITTEE ON DEVELOPMENT AND PLANNING
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Mayor has requested confirmation of the appointment of Gregory Ward II to the Lansing Economic Development Corporation/Brownfield Redevelopment Authority/Tax Increment Finance Authority for a term to expire February 28, 2010;

WHEREAS, the Committee on Development and Planning met on April 18, 2007, and recommended confirmation of this appointment;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby confirms the Mayor's appointment of Gregory Ward II to the Lansing Economic Development Corporation/Brownfield Redevelopment Authority/Tax Increment Finance Authority for a term to expire February 28, 2010.

By Councilmember Jeffries

Motion Carried

RESOLUTION #135

BY THE COMMITTEE ON DEVELOPMENT AND PLANNING
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

Michigan School for the Blind Historic District, 715 W. Willow Establishment of Historic District Study Committee

WHEREAS, Chris Stuchell, of the LHC Non-Profit Development Corporation, by letter dated March 6, 2007, requested a local historic district designation for the eastern portion of the former Michigan School for the Blind campus, located at 715 W. Willow Street; and

WHEREAS, the three contributing buildings were all designed by Edwyn A. Boyd, a prominent Lansing Architect, and may be eligible for the National Register of Historic Places; and

WHEREAS, the local historic district designation will make this property eligible for State and Federal income tax credits of up to 25 percent of the building rehabilitation costs; and

WHEREAS, the applicant has indicated his commitment to improving the property in accordance with the federal standards for its rehabilitation; and

WHEREAS, the Historic District Commission Design Review Committee, at its March 5, 2007 meeting, suggested that Kara Wood of the Lansing Economic Development Corporation, the applicant, and Commission

members Phil Mondro and Mary Toshach serve on the Historic District Study Committee; and

WHEREAS, Mr. Mondro, Ms. Toshach and Ms. Wood have all volunteered to serve and would satisfy the Study Committee membership requirements under the Ordinance; and

WHEREAS, the Mayor has appointed Phil Mondro, 1910 Jerome; Chris Stuchell, LHC Non-Profit Development Corporation, Mary Toshach, 645 S. Grand Ave.; and Kara Wood, of the Lansing EDC; to the Michigan School for the Blind Historic District Study Committee, for a period of 180 days from establishment of the Study Committee and the confirmation of its membership; and

WHEREAS, the Committee on Development and Planning has reviewed the request by the property owner within the proposed district, and the Mayor's appointments to the Study Committee, and concurs therewith;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council hereby waives the optional public hearing on this proposal, which would have been held prior to the establishment of the Historic District Study Committee, due to the fact that the proposed district has been requested by the property owner.

BE IT FURTHER RESOLVED, the City Council hereby establishes a Historic District Study Committee pursuant to Chapter 1220 of the Lansing Code of Ordinances with the powers and duties there under to conduct studies and make reports and recommendations regarding the former Michigan School for the Blind property, 715 W. Willow as a proposed Historic District, as requested by the property owner.

BE IT FINALLY RESOLVED that this Historic District Study Committee will make its reports and recommendations to the Council within 180 days after all its members have been appointed by the Mayor and confirmed by City Council.

By Councilmember Jeffries

Motion Carried

RESOLUTION #136

BY THE COMMITTEE ON DEVELOPMENT AND PLANNING
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

Michigan School for the Blind Historic District, 715 W. Willow Confirmation of Historic District Study Committee Members

WHEREAS, Chris Stuchell, of the LHC Non-Profit Development Corporation, by letter dated March 6, 2007, requested a local historic district designation for the eastern portion of the former Michigan School for the Blind campus, located at 715 W. Willow Street; and

WHEREAS, the three contributing buildings were all designed by Edwyn A. Boyd, a prominent Lansing Architect, and may be eligible for the National Register of Historic Places; and

WHEREAS, the local historic district designation will make this property eligible for State and Federal income tax credits of up to 25 percent of the building rehabilitation costs; and

WHEREAS, the applicant has indicated his commitment to improving the property in accordance with the federal historic standards for its rehabilitation; and

WHEREAS, the Historic District Commission Design Review Committee, at its March 5, 2007 meeting, suggested that Kara Wood of the Lansing Economic Development Corporation, the applicant, and Commission members Phil Mondro and Mary Toshach serve on the Historic District Study Committee; and

WHEREAS, Mr. Mondro, Ms. Toshach and Ms. Wood have all volunteered to serve and would satisfy the Study Committee membership requirements under the Ordinance; and

WHEREAS, the Mayor has appointed Phil Mondro, 1910 Jerome; Chris Stuchell, LHC Non-Profit Development Corporation, Mary Toshach, 645 S. Grand Ave.; and Kara Wood, of the Lansing EDC; **"AND ABIGAIL CAMPANA, 912 PRINCETON"**; to the Michigan School for the Blind Historic District Study Committee, for a period of 180 days from establishment of the Study Committee and the confirmation of its membership; and

WHEREAS, the Committee on Development and Planning has reviewed the request by the property owner within the proposed district, and the Mayor's appointments to the Study Committee, and concurs therewith;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council hereby confirms the Mayor's appointment of Phil Mondro, Chris Stuchell, Mary Toshach, Kara Wood to At-Large positions and **"ABIGAIL CAMPANA TO REPRESENT NEIGHBORHOOD INTERESTS"** on the Michigan School for the Blind Historic District Study Committee for a term to expire 180 days after the date of this resolution.

By Councilmember Kaltenbach

By Councilmember Kaltenbach

To amend this resolution by adding Abigail Campana to the School for the Blind Historic District Study Commission to represent the Neighborhood interests.

Motion Carried

The motion being adoption of the amended resolution:

Motion Carried

RESOLUTION #137

BY COMMITTEE ON DEVELOPMENT AND PLANNING
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

Act-2-07, 200 Block, E. Grand River Avenue, Deed Restriction, Easement and Air Rights in City Parking Lot [PPN 33-01-01-09-403-001/023 (Parts)]

WHEREAS, the River North LLC requests a deed restriction on the City's E. Grand River parking lot to enable the applicant to construct a building on parcels 33-01-01-09-403-061/071/081 that would have zero setbacks along its south and west property lines; and

WHEREAS, in order to include windows and doors that are not fire protected along the south and west elevations of the proposed building, a deed restriction of at least 20 feet would need to be secured along the south and west property lines of the adjacent City-owned surface parking lot that would prohibit future building construction within this area; and

WHEREAS, the applicant requests a 10 foot easement for the use of air rights to construct balconies on the upper floors of the south and west walls of the proposed building, and this ten feet would be included within the requested 20 foot deed restriction; and

WHEREAS, the effect of this deed restriction and easement as proposed is that:

1. The City and/or its assigns would agree not to construct a building within this 20 foot area covered by the deed restriction,

2. The applicant would be permitted to construct balconies within 10 feet of the deed restriction area closest to the applicant's property,

3. The construction and use of a City-owned parking lot and associated site features would be permitted in the entire 20 feet of the deed restriction area; and

WHEREAS, on April 3, 2007, the Planning Board reviewed the request through its Act 285 procedures, and found, based on testimony and evidence that:

1. The proposed easement and deed restriction would facilitate the development of a mixed use building on parcels 33-01-01-09-403-061/071/081,
2. The proposed easement and deed restriction would not hinder the operations of the City parking lot or the potential redevelopment of the City's property,
3. The proposed easement and deed restriction would be consistent with the Act 285 review criteria provided that the applicant reimburse the City for any reasonable costs incurred as a result of these proposed actions; and

WHEREAS, on April 3, 2007, the Planning Board unanimously (5-0) recommended approval of Act-2-07, to allow easement(s) and deed restriction(s) adjacent to the applicant's site, with the following conditions:

1. The easement/deed restriction extend no further than 20 feet from the south and west property lines,
2. The air rights extend not more than 10 feet south and west of the proposed building,
3. The easement/deed restriction not interfere with the current use of the property for surface parking and access to the city parking lot; and

WHEREAS, the Committee on Development and Planning reviewed the report and recommendation of the Planning Board, and concurs therewith;

NOW, THEREFORE BE IT RESOLVED the Lansing City Council hereby approves Act-2-07, and grants a deed restriction for that portion of the parking lot legally described as:

Part of Lot 1, Subdivision of Block 12, described as: Commencing 106 feet West of the Northeast corner of Block 12 of the Original Plat of said City of Lansing, and running thence West 20 feet; thence Southerly, parallel with the East line of said Lot 1, 120.00 feet; thence East 86 feet; thence Northerly, parallel with said East line 20 feet; thence West, 66 feet, thence Northerly, parallel with said East line, 100 feet to the point of beginning, City of Lansing, Ingham County, Michigan,

across the City parking lot on E. Grand River Avenue, to the River North, LLC, and within this area, the City will not construct any buildings; and

BE IT FURTHER RESOLVED, that the City of Lansing grants an easement, legally described as:

Part of Lot 1, Subdivision of Block 12, described as: Commencing 106 feet West of the Northeast corner of Block 12 of the Original Plat of said City of Lansing, and running thence West 10 feet; thence Southerly, parallel with the East line of said Lot 1,

110.00 feet; thence East 76 feet; thence Northerly, parallel with said East line 10 feet; thence West, 66 feet, thence Northerly, parallel with said East line, 100 feet to the point of beginning, City of Lansing, Ingham County, Michigan,

for upper floor balconies with a minimum clearance of 15 feet between the balconies and the ground; and

BE IT FURTHER RESOLVED, that prior to commencement of construction, the applicant shall enter into an agreement, in a form acceptable to the City Attorney, with the City of Lansing to ensure that this deed restriction and this easement shall not interfere with the City's public purpose of the property, and with the following provisions:

1. The City shall be compensated in an amount to be determined by an appraisal being conducted through the Lansing Development Office for the subject deed restriction and easement, plus any reasonable costs or lost parking revenue resulting therefrom,
2. The easement and deed restriction shall be revocable in the event that the Lansing City Council finds, by resolution that they are no longer in the Public interest.

BE IT FURTHER RESOLVED that the Lansing City Council authorizes the administration to enter into negotiations to sell, at fair market value and lost parking revenue, a 20 foot easement in the parking lot on East Grand River Avenue by Race Street, to benefit the adjacent property (Parcel No. 33-01-01-09-403- 061/071/081) along the south and west lines of said property, to allow for the construction of a building on the property to the lot lines and to comply with fire code requirements.

BE IT FURTHER RESOLVED that the administration may also negotiate a 10 foot license or easement for use of air rights in the parking lot for inclusion of balconies on said building to be constructed.

BE IT FINALLY RESOLVED that upon completion of negotiations, the sale and transfer shall be subject to final review and approval by City Council.

By Councilmember Jeffries

To accept a substitute resolution for the one originally placed in the packet

Motion Carried

By Councilmember Jeffries

To place an affirmative roll on the substitute resolution

Motion Carried

RESOLUTION #138

BY THE COMMITTEE ON WAYS AND MEANS
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, on April 16, 2007, Council adopted a Resolution pursuant to ordinance Section 286.05, confirming amendments to the Executive Management Fringe Benefits Plan; and

WHEREAS, for the record, the amendments were attached to the resolution and therefore filed with the City Clerk; and

WHEREAS, the attachment entitled Addendum to Executive Management Fringe Benefits for Police Chief and Fire Chief inadvertently omitted the word "hired" from its final paragraph; and

WHEREAS, City Council desires to include the corrected attachment for the official record;

NOW, THEREFORE, BE IT RESOLVED that the April 16, 2007, Resolution amending the Executive Management Fringe Benefits Plan is hereby corrected by replacing the attachment entitled Addendum to Executive Management Fringe Benefits for Police Chief and Fire Chief with the revised addendum attached hereto.

BE IT FURTHER RESOLVED that in all other respects the Resolution shall remain in full force and effect.

By Councilmember Wood

Motion Carried

RESOLUTION #139

BY THE COMMITTEE ON WAYS AND MEANS
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the adopted FY 2006 City Budget included an appropriation from the Park Millage Fund of \$5,000 for the design of a dog park in the City of Lansing; and

WHEREAS, the adopted FY 2007 City Budget includes an appropriation from the Park Millage Fund of \$45,000 for the design and construction of a dog park at Scott Woods Park; and

WHEREAS the City of Lansing has received \$25,000 from the Friends of Greater Lansing Dog Parks for construction of the dog park; and

WHEREAS the Soldan Family has pledged \$5,000 per year for 10 years, \$5,000 of which has been received, for the construction and maintenance of the dog park; and

WHEREAS, Ingham County has donated \$5,000 for the construction of a dog park; and

WHEREAS, the Parks and Recreation Department has identified the following fund balance and revenue accounts where funds were deposited which could be utilized to undertake the project and meet the desired construction schedule:

410.390001 \$5,000.00 dated 7/1/05

101.675003 \$25,000 dated 3/13/07 to be transferred to the 410 Fund
101.675003 \$5,000 dated 8/7/06 to be transferred to the 410 Fund

TOTAL DONATED \$35,000

and

WHEREAS, funding of \$50,000 has been appropriated in account 412.933890.974000.13033 for the design and construction of a dog park;

NOW, THEREFORE BE IT RESOLVED that the Lansing City Council approves acceptance and appropriation of the donated funds and authorizes the administration to make the appropriate transfer of \$35,000 to account #410.933890.974000.13033 for construction of the dog park; and

BE IT FURTHER RESOLVED the dog park's construction, ownership, operation and maintenance be under the control of the Lansing Parks and Recreation Department; and

BE IT FURTHER RESOLVED that the Administration is authorized to administratively appropriate further donations within the Infrastructure Fund; and

BE IT FINALLY RESOLVED that the Council endorses the City Parks & Recreation Department proceeding to expend up to \$85,000 for the

construction of a dog park at Scott Woods Park.

By Councilmember Wood

Motion Carried

RESOLUTION #140

BY THE COMMITTEE ON WAYS AND MEANS
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, in April 2004, the Tri-County area was designated a basic non-attainment area for ozone with a compliance date of 2009; and

WHEREAS, this designation provides Congestion Mitigation and Air Quality (CMAQ) funding to non-attainment areas for qualifying transportation projects that will have a positive impact on air quality; and

WHEREAS, on March 6, 2006, the Council authorized the Transportation and Parking Office and Public Service Department to submit and administer grant funds for the following CMAQ projects: Michigan Avenue and Pennsylvania Avenue traffic signal optimization, Downtown area traffic signal optimization, Southwest Lansing signal optimization, construction of a southbound left turn lane on Waverly Road at Holmes Road, and construction of a bus turnaround on Edgewood Boulevard; and

WHEREAS, MDOT approved the City of Lansing's CMAQ grant request for Michigan Avenue and Pennsylvania Avenue traffic signal optimization estimated at \$82,200; and

WHEREAS, MDOT approved the City of Lansing's CMAQ grant request for the Southwest Lansing traffic signal optimization estimated at \$109,800; and

WHEREAS, MDOT approved the City of Lansing's CMAQ grant request for the Downtown area traffic signal optimization estimated at \$92,500; and

WHEREAS, these three CMAQ projects are 100% federally funded and do not require matching funds from the City of Lansing;

NOW, THEREFORE, BE IT RESOLVED, that the Transportation and Parking Office is authorized to accept these CMAQ grants for traffic signal optimization projects for the Michigan Avenue and Pennsylvania Avenue, Southwest, and Downtown areas not to exceed the total amount of \$284,500.

By Councilmember Wood

Motion Carried

RESOLUTION #141

BY THE COMMITTEE OF THE WHOLE
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Michigan Election Law provides that the Election Commission of any city that has been divided into 2 or more election precincts, may by resolution, alter or rearrange the city into election precincts as said election commission may deem necessary and convenient for conducting primaries or elections in said city; and

WHEREAS, Lansing Election Commission has approved revised precinct descriptions effective January 1, 2007 which reduces the number of Election Precincts; and

WHEREAS, the adopted realignment of precincts does not affect any representative districts within the City of Lansing, and the Lansing City Clerk has determined the realignment will be beneficial in terms of cost and service to voters; and

WHEREAS, it is necessary to revise Lansing's Polling Places to match the new Election Precincts; and

WHEREAS, City Clerk Chris Swope has recommended a list of Polling Places which best meet the required criterion under Michigan Election Law;

NOW, THEREFORE, BE IT RESOLVED that the following list of Polling Places is adopted for the City of Lansing:

Ward 1

W1-P1 Otto Middle School, 500 E. Thomas Street
W1-P2 Board of Water & Light Customer Service Center, 1232 Haco Drive
W1-P3 Grand River Magnet School, 1107 E. Grand River Avenue
W1-P4 National Guard Armory, 2500 S. Washington
W1-P5 National Guard Armory, 2500 S. Washington
W1-P8 Fairview Elementary School, 815 N. Fairview Avenue
W1-P9 Post Oak Elementary School, 2320 Post Oak Lane
W1-P10 Riverfront Apartments, 601 N. Cedar Street
W1-P12 Bingham Elementary School, 121 Bingham Street
W1-P14 Foster Community Center, 200 N. Foster Street

Ward 2

W2-P2 Forest View Elementary School, 3119 Stoneleigh Drive
W2-P3 South Washington Apartments, 3200 S. Washington Avenue
W2-P4 Mt. Hope Elementary School, 1215 E. Mt. Hope Avenue
W2-P5 Henry North Elementary School, 333 E. Miller Road
W2-P6 Henry North Elementary School, 333 E. Miller Road
W2-P8 Gardner Middle School, 333 Dahlia Drive
W2-P10 Forest View Elementary School, 3119 Stoneleigh Drive
W2-P11 Gardner Middle School, 333 Dahlia Drive
W2-P12 Lyons Avenue Elementary School, 2901 Lyons Avenue
W2-P13 Kendon Elementary School, 827 Kendon Drive
W2-P14 Cavanaugh Elementary School, 300 W. Cavanaugh Road

Ward 3

W3-P1E Hill Center, 5815 Wise Road
W3-P3 Elmhurst Elementary School, 2400 Pattengill Avenue
W3-P4 Lewton Elementary School, 2000 Lewton Place
W3-P5 Attwood Elementary School, 915 Attwood Drive
W3-P6E Woodcreek Magnet School, 4000 Woodcreek Lane
W3-P7 Attwood Elementary School, 915 Attwood Drive
W3-P8 Wainwright Magnet School, 4200 Wainwright Avenue
W3-P10 Dwight Rich Middle School, 2600 Hampden Drive
W3-P12 Averill Elementary School, 3201 Averill Drive
W3-P13 Hill Center, 5815 Wise Road
W3-P15 Pleasant View Magnet School, 4501 Pleasant Grove Road

Ward 4

W4-P2 Emanuel First Lutheran Church, 1001 N. Capitol Avenue
W4-P3 Willow Elementary School, 1012 W. Willow Street
W4-P5 Willow Elementary School, 1012 W. Willow Street
W4-P6 Fire Station # 5, 1821 Todd Avenue
W4-P7 Grace Lutheran Church, 528 N. Martin Luther King Jr. Blvd.
W4-P8 Riddle Elementary School, 221 Huron Street

W4-P9 Riddle Elementary School, 221 Huron Street
 W4-P12 Cumberland Elementary School, 2801 Cumberland Road
 W4-P13 Peckham Industries, 2511 N. Martin Luther King Jr. Blvd.
 W4-P14 St. Stephen Lutheran Church, 2900 N. Waverly Road
 W4-P15 Lewton Elementary School, 2000 Lewton Place

By Councilmember Jeffries

Motion Carried

RESOLUTION #142

BY THE COMMITTEE OF THE WHOLE
 RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

PUBLIC IMPROVEMENT IV

WHEREAS, pursuant to resolution #040 adopted by this council on February 19, 2007 the City Assessor held a public hearing on March 19, 2007, for Assessment Roll #389 and;

WHEREAS, a second public hearing was held April 9, 2007, for curb and gutter and necessary drainage facilities, as follows:

PROJECT TITLE: PS# 68050,
 Cavanaugh Road, from Aurelius Road to
 Dunckel Road

PROPERTY BENEFITTED

CURB AND GUTTER: All lands fronting on Cavanaugh Road from Aurelius Road to Dunckel Road, excepting all public streets and alleys and other land deemed not benefited.

STORM SEWER: All lands fronting on Cavanaugh Road from Aurelius Road to Dunckel Road, also all lands fronting on Eastlawn Drive from Cavanaugh Road to 500 feet south of Cavanaugh Road, excepting all public streets and alleys and other land deemed not benefited.

COST OF IMPROVEMENTS:

Assessment Roll Number 389	City & Federal Contribution	Assessable to Property Owner
Curb and Gutter Costs	\$ 30,212.21	\$ 69,941.10
Storm Sewer Costs	\$ 11,330.68	\$ 68,102.08
Other Costs	\$681,321.96	\$ 0.00
Total	\$722,864.85	\$138,043.18

WHEREAS, the proposed improvements along Eastlawn Drive are necessary to outlet the storm sewer on Cavanaugh Road and will not benefit the adjacent property owners until such time as further drainage improvement are made to Eastlawn Drive;

NOW THEREFORE, BE IT RESOLVED the Lansing City Council hereby directs that special assessment roll number 389 as returned by the City Assessor, be ratified and confirmed, to collect said tax within 90 days after the approval of the assessment roll.

BE IT FURTHER RESOLVED the Lansing City Council will defer the proposed assessment for storm sewer for properties on Eastlawn Drive that do not also border Cavanaugh Road until such time as further drainage improvements are made to Eastlawn Drive.

BE IT FINALLY RESOLVED that the interest rate to be added to the special assessment installment payments shall be set at 5% in

accordance with Chapter 1026.07 (a) (2) (F).

By Councilmember Dunbar

Motion Carried

REPORTS FROM COUNCIL COMMITTEES

There were no Committee Reports

ORDINANCES FOR INTRODUCTION

INTRODUCTION OF ORDINANCE

The following ordinance of the City of Lansing, Michigan, providing that the Code of Ordinances be amended by providing for the rezoning of property located in the City of Lansing, Michigan, and for the revision of the district maps adopted by Section 1246.02 of the Code for property located at:

Z-1-2007, 3811 Aurelius Road, from "A" Residential District to "C" Residential District

was introduced by Councilmember Jeffries, read a first and second time by its title and referred to the Committee on Development and Planning.

RESOLUTION #143

BY THE COMMITTEE ON DEVELOPMENT & PLANNING
 RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

Resolved by the City Council of the City of Lansing that a public hearing be set for Monday, May 14, 2007, at 7 p.m. in City Council Chambers, Tenth Floor, Lansing City Hall, 124 West Michigan Avenue, Lansing, Michigan, for the purpose of approving and/or opposing the Ordinance for rezoning:

Z-1-2007, 3811 Aurelius Road, from "A" Residential District to "C" Residential District

By Councilmember Jeffries

Motion Carried

INTRODUCTION OF ORDINANCE

AMENDMENT TO CHAPTER 810
 Franchise Agreement with Comcast of Michigan, LLC

By Councilmember Leeman, Chair of the Committee of the Whole

An Ordinance of the City of Lansing, Michigan, to Amend Chapter 810 of the Lansing Codified Ordinances by adding Section 810.23 authorizing a New Video Service Franchise Agreement with Comcast of Michigan, LLC with those video service provider fees previously established by the City pursuant to the newly enacted Uniform Video Services Local Franchise Act was introduced by Councilmember Leeman, read a first and second time by its title and referred to the Committee of the Whole

RESOLUTION #144

RESOLUTION SETTING PUBLIC HEARING
 By Councilmember Leeman

RESOLVED BY THE CITY COUNCIL, CITY OF LANSING, that a public hearing be set for Monday, April 30, 2007 at 7:00 P.M. in the City Council Chambers, 10th Floor Lansing City Hall, 124 W. Michigan Ave., Lansing, MI for the purpose of considering:

An Ordinance of the City of Lansing, Michigan, to Amend Chapter 810 of the Lansing Codified Ordinances by adding Section 810.23 authorizing a New Video Service Franchise Agreement with Comcast of Michigan, LLC with those video service provider fees previously established by the City pursuant to the newly enacted Uniform Video Services Local Franchise Act

Interested Persons are invited to attend this Public Hearing

By Councilmember Jeffries

Motion Carried

ORDINANCES FOR PASSAGE

There were no Ordinances for Passage

REPORTS FROM CITY OFFICERS, BOARDS, AND COMMISSIONS; COMMUNICATIONS AND PETITIONS; AND OTHER CITY RELATED MATTERS

By Councilmember Jeffries that all items be considered as being read in full and that President Leeman make the appropriate referrals

Motion Carried

• Reports from City Officers Board and Commissions:

- a. Letter from the City Clerk submitting minutes of Boards and Authorities placed on file in the City Clerk's Office

RECEIVED AND PLACED ON FILE

- b. Letter from the City Clerk submitting an application for a permit/license requesting to Transfer Ownership of 2006 Class C Licensed Business, Located in escrow at 2820 E. Grand River Ave., Lansing, MI 48912, Lansing Township, Ingham County, from Sunil & Rehka Entertainment, LLC to Stadium District Partners, L.L.C.; and Transfer Location (Governmental Unit) to Stadium District Development, E. Michigan Ave., Lansing, MI 48933, Ingham County, and Dance-Entertainment and Additional Bar Permit

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

- c. Letter from the City Clerk submitting Licenses and Bonds for Approval; Application for Fireworks Display Permits filed by Roger Bonney of Night Magic & Lansing Lugnuts for May 5, 11, and 26, June 1, 8, 9, and 23, July 3, 4, 6, 13, 14, and 20, and August 3, 2007 at Oldsmobile Park with rain dates of September 1, and 3, 2007.

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

- d. Letters from the City Attorney re:

-Levetrice Stewart v City of Lansing, et al
-City of Lansing v Andrija Markovic

RECEIVED AND PLACED ON FILE

- e. Letter from the Mayor re:

- i. Michigan Department of Transportation (MDOT)
2007 Local Bridge Funding Resolution

REFERRED TO THE COMMITTEE ON WAYS AND MEANS AND THE

INTERNAL AUDITOR

• Communications and Petitions and Other City Related Matters:

- a. Letter from the State of Michigan, Department of Environmental Quality providing notice of the renewal of a Clean Corporation Citizen (C3) designation issued to General Motors Lansing Delta Township Site

RECEIVED AND PLACED ON FILE

- b. Notice from the Michigan Department of Environmental Quality of the issuance of Permit No. 07-33-0017-P to the City of Lansing, to allow for the construction of approximately 300 linear feet of 21-inch diameter sanitary sewer, by open trench method, within the 100-year floodplain of the Grand River

REFERRED TO THE PUBLIC SERVICE DEPARTMENT

- c. Request for recognition of non-profit status filed by Elaine B. West, Chief Executive Officer of the Greater Lansing Association of Realtors located at 3350 N. Grand River Ave.

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

REMARKS BY COUNCILMEMBERS

Councilmember Kaltenbach asked why items that are on the agenda for referral are being acted upon prior to Council meetings.

Councilmember Wood stated that the Council staff knows that some of the items are time sensitive and they get the information to committee prior to Council so it can be approved.

President Leeman went over some changes to Council Boards and Committees. He said tomorrow evening is the Community Budget Meeting at Dwight Rich School. He went over the schedule for the Budget Hearings for Thursday and Friday.

Councilmember Dunbar stated that with the construction in front of City Hall, the Brown Bag Lunch Series has been canceled. She said that there is still going to be a concert in the 200 Block of Washington Square called "Blues on the Square."

REMARKS BY THE MAYOR OR EXECUTIVE ASSISTANT

There were no comments by the Mayor or his Executive Assistant

ADJOURNED TIME 9:29 P.M.

CHRIS SWOPE, CITY CLERK



**OFFICIAL PROCEEDINGS OF
THE CITY COUNCIL
CITY OF LANSING
CORRECTED
PROCEEDINGS OF APRIL 30, 2007**

City Council Chambers
Lansing, Michigan

The City Council of the City of Lansing met in regular session and was called to order at 7:00 p.m. by President Leeman.

PRESENT: Councilmembers Allen, Dunbar, Jeffries, Kalttenbach, Leeman, Quinney, Wood

ABSENT: None

Meditation and Pledge of Allegiance led by President Leeman

APPROVAL OF MINUTES

Approval of the printed Council Proceedings of April 16, 2007

This item was pulled from the Agenda

CONSIDERATION OF LATE ITEMS

By Vice President Jeffries

To suspend City Council Rule #11 to allow for Consideration of Late Items

Motion carried

The following items were added to the agenda:

1. From Councilmember Leeman; Special Ceremony, Tribute; Dr. E. Sharon Banks on her retirement as Superintendent of the Lansing School District
2. From Councilmember Jeffries; Letter from the Mayor re: Reappointment of Robin Smith to the Board of Water and Light Board of Commissioners for a 3rd Ward Term to Expire June 30, 2011

TABLED ITEMS

SPECIAL CEREMONIES

- Special Ceremonies
- 1. Presentation; Bingham Elementary School "Tripple Max" singing "Safe Routes to School Rap & Dance"

This item was pulled from the Agenda

2. Tribute; the descendents of the village of Deir Mimass

Council member Wood stated that she felt honored presenting this tribute tonight and that it shows even though people come to this country they are still very connected to their roots.

City Clerk Swope read the following resolution:

RESOLUTION#145

BY COUNCILMEMBER WOOD
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Deir Mimass is a Christian village of approximately 5,000 in southern Lebanon occupied for millenniums by hardworking people tending crops in the many fields and orchards surrounding the village; and

WHEREAS, during the twentieth century, many of these people immigrated to the United States and settled in the mid-Michigan area in particular Lansing, establishing roots and a better life for the future generations but never forgetting where they came from or their village Deir Mimass; and

WHEREAS, many of the first generations of sons and daughters became leaders in our community becoming lawyers, doctors, developers, merchants and even politicians, handing down the heritage, customs, and a connection to their village Deir Mimass to the generations that have followed; and

WHEREAS, Deir Mimass is located on the Lebanese and Israeli boarder and has suffered collateral damage several times over the years as the conflict in the area continues. Each time the villagers rebuilt with help and support from their cousins in the United States and Lansing, in particular; and

WHEREAS, Dr. Kamel Morkos, the Mayor of Deir Mimass, will be in Lansing to thank the many descendents of Deir Mimass for all of their support and help throughout the years;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council honors and thanks the many residents in the area of Lebanese heritage that have contributed in many ways to our community and hope that the people of Deir Mimass will continue rebuilding and experience a prosperous and peaceful future.

By Councilmember Wood

Motion Carried

Mayor Bernero congratulated and welcomed the descendents of the village of Deir Mimass to Lansing. He said this community continues to be enriched by the immigrants who come here.

John Mansour thanked the Mayor and City Council for this honor. He said that he is proud to be an active community member and is proud to call Lansing his home.

3. Tribute; Workers Memorial Day, American Federation of Labor & Congress of Industrial Organization (AFL-CIO)

Councilmember Quinney spoke on the importance of work place safety. He said the State recently lost two people, one of which was a local business person, due to on the job accidents.

City Clerk Swope read the following resolution:

RESOLUTION#146

BY COUNCILMEMBER DERRICK QUINNEY
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, on April 28, 2007, the labor movement will once again observe Workers Memorial Day to remember workers who have been killed or injured on the job and to renew the fight for strong safety and health protections; and

WHEREAS, more than three decades ago, Congress passed the Occupational Safety and Health Act and Mine Safety and Health Act promising every worker the right to a safe job; and

WHEREAS, despite the efforts of the unions and their allies, who fought to make that promise a reality, the toll of workplace injuries, illnesses, and deaths remains enormous. Each year, thousands of worker's are killed and millions more are injured or diseased because of their jobs; and

WHEREAS, progress in protecting workers' safety and health has slowed, and for some groups of workers, jobs are becoming more dangerous; and

WHEREAS, many employers, in a race to the bottom in the global economy, have been pushing to cut wages and benefits and loosen protections; and

WHEREAS, with fewer and fewer workers having the protection of unions, more workers are afraid to speak out and raise job safety concerns, fearing retaliation and firing; and

WHEREAS, on April 28, 2007, the unions of the AFC-CIO observe Worker's Memorial Day to remember those who have suffered and died on the job and to renew the fight for safe workplaces, to speak out and bargain for safe jobs, respect, and a better future; and

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, urges employers and employees to continue to fight to make workers' issues a priority, to guarantee the freedom of workers to form a union, and to keep and create good safe jobs in this country.

By Councilmember Quinney

Motion Carried

State Representative Joan Bauer presented a resolution of tribute on the importance of work place safety signed by the Governor, the State Senate and House of Representative leaders to the ACLU representative.

Art Luna thanked the Council, the Mayor and Representative Bauer for recognizing the importance of spreading the word on safety in the workplace. He said that all companies should be made of aware of the concern for safety.

4. Tribute; Dr. E. Sharon Banks on her retirement as Superintendent of the Lansing School District

Mayor Bernero stated that honoring Dr. Banks this evening was bittersweet. He said there is no pleasure in saying farewell to her. He said we have been fortunate to have Dr. Banks for the last 7 years leading our school district to a better place. He said Dr. Banks has put her heart and soul into Lansing Schools and its students. He said parents and students are going to miss her as much as we will.

Dr. Banks thanked the Mayor and City Council for this honor. She said all of us have worked together to make Lansing Schools what they are today. She thanked her family, parents and the children for their support. She stated that she came to Lansing because of her family ties.

President Leeman thanks Dr. Banks on behalf of the City Council for everything that she has done for the City over the last 7 years.

Councilmember Allen said it has been an honor to work with Dr. Banks for the last 7 years and that she will be greatly missed.

COUNCILMEMBERS' COMMENTS AND CITY CLERK'S ANNOUNCEMENTS:

Councilmember Allen announced that Budget Hearings will take place most of this week and will be televised. She said that the City Council will be having interviews for the 3rd Ward vacancy on Tuesday and that also will be televised.

Councilmember Wood announced that the Eastside Neighborhood Organization will be meeting on Wednesday at Foster Community Center in room 213 at 7:00 p.m. The Genesee Neighborhood Association will be meeting on Thursday at 7:00 p.m. at Grace Lutheran Church. Resurrection Church will be hosting a Spaghetti Dinner on Friday from 5:00 p.m. to 8:00 p.m. at the Parish Hall.

City Clerk Swope stated that he attended an awards banquet last week sponsored by the Mental Health Association of Michigan and the honoree was Mayor Bernero. He said Mayor Bernero received the Snyder-Kok award. He stated that the School District election for districts other than Lansing Schools is next Tuesday, May 8. He said that the first round of interviews for the 3rd Ward vacancy will be Tuesday at 6:00 p.m. and the second round will be on Thursday at 6:00 p.m. He stated that the filing deadline is May 15 at 4:00 p.m. for those interested in running for a City Council seat in the August Primary.

Councilmember Wood stated that the NAACP's dinner this past weekend in Detroit was attended by former President Bill Clinton and that Joel Ferguson received the Justice of Freedom Award for his work on Civil Rights.

Councilmember Allen announced that a number of students from Holt High School were in the audience this evening for their government class and she welcomed them.

SPEAKER REGISTRATION FOR PUBLIC COMMENT

(Clerk Swope announced that the public comment registration form(s) for those intending to address Council on legislative or City government matters will be collected and that only those persons who have fully completed the form(s) will be permitted to speak.)

MAYOR'S COMMENTS

Mayor Bernero spoke about items on tonight's agenda. He urged Council to pass the resolution for the Cesar Chavez memorial. He spoke about the Brownfield Plan #31. He spoke about the State Budget process and how it will affect the City. He announced that the kickoff for the concert series called "Blues on the Square" will be June 14 held in the 200 Block of Washington Square. He spoke about the gas leak that took place last week in front of City Hall and thanked Lansing's Police and Fire Departments for their quick response to the situation. He spoke about the Homecoming of Charlie Company from Iraq on Sunday and he requested a moment of silence for the 8 members of Charlie Company who lost their lives while serving our country.

SHOW CAUSE HEARINGS

- Comment on Scheduled Show Cause Hearings:

There were no Show Cause Hearings

PUBLIC COMMENT ON LEGISLATIVE MATTERS

- Public Comment on Legislative Matters:

Legislative Matters included the following public hearings:

1. In consideration of a request to establish a memorial statue on the front corridor of City Hall in honor of Cesar Chavez

2. In consideration of an Ordinance to Amend the Code of Ordinances of the City of Lansing, MI by adding Section 810.23 authorizing a New Video Service Franchise Agreement with Comcast of Michigan, LLC with those video service provider fees previously established by the City pursuant to the newly enacted Uniform Video Services Local Franchise Act
3. In consideration of Brownfield Redevelopment Plan #31 Spadafore Distributing E. Michigan Ave. Brownfield Plan for property located at 2100 and 2110 E. Michigan Ave.

Letter from Joan Nelson of Allen Neighborhood Center stating concerns with the proposed design of the buildings for Brownfield Redevelopment Plan #31

Councilmember Kaltenbach gave a brief overview of Public Hearing #1

Vice President Jeffries gave a brief overview of Public Hearing #2 & #3

Brian Anderson of Economic Development Corporation gave additional information regarding the Brownfield Plan #31 Public Hearing.

Art Luna of 116 Mapleview Dr., Charlotte, spoke in support of the memorial for Caser Chavez.

Maria Enriquez of 820 N. Pine spoke in support of the Caser Chavez Memorial. She said this is the right thing for the community.

Joan Bauer of 1821 Moores River Dr. stated that she is supportive of a resolution by Council regarding the State Budget.

John Pollard of 1718 Blair spoke in support of the Memorial for Caser Chavez. He stated that he was in opposition to the Brownfield Plan #31. He spoke in opposition to Comcast.

Al Salas of 10286 Lafayette spoke in support of the Caser Chavez Memorial.

Will Roger of 3320 Parkview spoke in support of the Caser Chavez Memorial and displayed a picture of a memorial for Caser Chavez.

William Hubbell of 3916 Wedgewood spoke in support of the Caser Chavez Memorial.

Deb Deleon of 1414 Taft spoke in support of the Caser Chavez Memorial.

Darnell E. Oldham Sr of 3815 Berwick Dr spoke in support of the Memorial for Caser Chavez. He spoke in opposition to Comcast. He spoke about concerns that he has regarding changes to the voting precincts.

Don Dean of 1321 E. North St. spoke about concerns that he has with Comcast.

REFERRAL OF PUBLIC HEARINGS

1. In consideration of a request to establish a memorial statue on the front corridor of City Hall in honor of Cesar Chavez

RECEIVED AND PLACED ON FILE

2. In consideration of an Ordinance to Amend the Code of Ordinances of the City of Lansing, MI by adding Section 810.23 authorizing a New Video Service Franchise Agreement with Comcast of Michigan, LLC with those video service provider fees previously established by the City pursuant to the newly enacted Uniform Video Services Local Franchise Act

RECEIVED AND PLACED ON FILE

3. In consideration of Brownfield Redevelopment Plan #31 Spadafore Distributing E. Michigan Ave. Brownfield Plan for property located at 2100 and 2110 E. Michigan Ave.

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

PUBLIC COMMENT

ON CITY GOVERNMENT RELATED MATTERS:

Virginia Humble of 604 E. Fredrick spoke about problems that she is having with a business by her home.

Bob Gray of 422 Dadson spoke about problems he has with a house on Willoughby with lots of trash in its yard. He also spoke about concerns that he has with the budget.

Sylvester Stewart of 3601 Berwick Dr spoke in support of a candidate for the Waverly School District Board.

Elizabeth Schrock of 1320 Westview spoke about the Ingham County/City of Lansing Community Coalition for Youth.

John Pollard of 1718 Blair spoke about various city matters.

Frank S. Curtis X of 1137 West Allegan spoke about city matters.

John Boise of 4921 Terry spoke about religious intent in the City.

Don Dean of 1321 E. North St. spoke in opposition to the Traffic Circle on Michigan Ave.

Darnell E. Oldham Sr of 3815 Berwick Dr spoke about various City Matters.

Pattie Smith of 1124 W. Edgewood spoke about reports of prisoners being released early.

LEGISLATIVE MATTERS

RESOLUTIONS

RESOLUTION#147

BY COUNCILMEMBERS SANDY ALLEN, KATHIE DUNBAR, BRIAN JEFFRIES, TIM KALTENBACH, HAROLD LEEMAN, DERRICK QUINNEY AND CAROL WOOD

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, after seven straight years of State budget deficits and four years of budget cuts, we are facing yet another \$3 billion shortfall in State revenue for the current 2006-2007 and 2007-2008 fiscal years; and

WHEREAS, Governor Granholm has already cut over \$3.6 billion from the State's budget over the past four years, and has cut more from the budget than any previous Governor, as well as operating state government with fewer state employees than we had in 1970; and

WHEREAS, the State has cut major taxes over 32 times in the past decade, our unemployment rate remains one of the highest in the country, and our auto industry continues to struggle; and

WHEREAS, the Single Business Tax (SBT), the primary tax paid by businesses in Michigan, will be entirely phased out by the end of the year with no replacement for \$1.2 billion in revenue generated from this tax; and

WHEREAS, higher education in Michigan has already been cut by \$250 million which has resulted in college students and their families paying double digit tuition increases and a college education moving further out reach for the middle class; and

WHEREAS, funding for local governments has been cut by \$585 million resulting in a loss of over 1,600 police officers and hundreds of fire fighters which compromises the safety of our local communities; and

WHEREAS, further cuts to the State safety net programs for food assistance, childcare and health care will only result in a shift of demand to already overburdened county and municipal programs.

THEREFORE BE IT RESOLVED, that City of Lansing cannot sustain further cuts in essential state services and that further funding cuts will result in a loss of quality of life for the citizens of this state and an inability to attract new business our communities; and

BE IT FURTHER RESOLVED that Lansing City Council advocates that the Michigan State Legislature demonstrate bipartisan leadership by:

- identifying a full replacement for the SBT that is paid by business and not individuals;
- putting forward their ideas for new sources of State revenue that will raise at least an additional \$1 billion;
- and affirming that commitment to find funding solutions that moves Michigan into a sound economic future.

BE IT FINALLY RESOLVED that the Lansing City Clerk is requested to send a copy of this resolution to City of Lansing representatives within State of Michigan Legislature.

By Councilmember Quinney

Motion Carried

RESOLUTION#148

BY COUNCILMEMBER CAROL WOOD
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Mary Bechtol grew up in Lansing attending Holy Cross Elementary and later graduating from St. Mary's Cathedral High School; and

WHEREAS, she worked after school and weekends in the Refectory and Surgical Floor of St. Lawrence Hospital from 1957 to 1962; and

WHEREAS, Ms. Bechtol served as Secretary to the Manager of the Lansing Civic Center from 1962 through 1966 and worked on a part time basis for the Lansing City Clerk; and

WHEREAS, in addition to her behind-the-scenes work with numerous community events, Mary is a member of the Michigan and Ingham County Democratic Parties, St. Casimir Catholic Church Worship Commission, the All Trade Softball Tournament for the Diabetes Research Institute, and the Colonial Village Neighborhood Association; and

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, extend a warm thank you to Mary Bechtol for her contributions through community involvement. Congratulations on your recent retirement!

By Councilmember Wood

Motion Carried

RESOLUTION#149

BY THE COMMITTEE ON GENERAL SERVICES
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Michigan Liquor Control Commission received a request from Texas Roadhouse of Lansing, LLC (a Kentucky Limited Liability Company) to transfer all membership interest in the 2006 Class C Licensed Business, located at 280 E. Edgewood, Lansing, Michigan 48911 wherein Texas Roadhouse Property Holdings LLL was issued 100% membership interest in the company; and

WHEREAS, the Committee on General Services met on April 23, 2007 to review the request with affirmative action taken;

NOW, THEREFORE, BE IT RESOLVED, the Lansing City Council, hereby, approves the transfer of all membership interest in the 2006 Class C Licensed Business, located at 280 E. Edgewood, Lansing, Michigan 48911, wherein Texas Roadhouse Property Holdings LLL was issued 100% membership interest in the company.

BE IT FURTHER RESOLVED, the City Clerk is requested to notify the Michigan Liquor Control Commission of the action taken.

By Councilmember Kaltenbach

Motion Carried

RESOLUTION#150

BY THE COMMITTEE ON GENERAL SERVICES
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Capital Foundation for Arts and Culture has requested \$1000.00 to defray costs associated with the first annual "Colors of Salsa" festival; and

WHEREAS, the Committee on General Services met on April 23, 2007, to review this request and took affirmative action in the amount of \$500.00; and

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, approves a \$500 allocation from the Community Promotion Account to the Capital Foundation for Arts and Culture to defray costs associated with the "Colors of Salsa" festival;

BE IT FURTHER RESOLVED, the Mayor and the Finance Department shall process this request by charging \$500.00 to the Community Promotion Account – 101.173901.741289.0; and

BE IT FINALLY RESOLVED, that the Capital Foundation for Arts and Culture shall submit a written analysis of the event, including information regarding the number of attendees and a detail of their accounting of expenses, to the Lansing City Council within 60 days after the event.

By Councilmember Kaltenbach

Motion Carried

RESOLUTION#151

BY THE COMMITTEE ON GENERAL SERVICES
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the City Clerk has forwarded an application for a City Permit, which has been routinely processed without objection and is ready for final action by this Council; and

WHEREAS, all required signatures have been obtained supporting the application for a fireworks display permit;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council, hereby, approves the application for a City Permit as follows:

FIREWORKS DISPLAY PERMIT:

Night Magic Displays and Roger L. Bonney for a Fireworks Display Permit for May 5, 11, and 26, June 1, 8, 9, and 23, July 3, 4, 6, 13, 14, and 20, August 3, 2007 to be located at Oldsmobile Park, Lansing, Michigan. Moreover, rain-out dates are granted for September 1, and 3, 2007.

By Councilmember Kaltenbach

Motion Carried

RESOLUTION#152

BY THE COMMITTEE ON GENERAL SERVICES
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Michigan Liquor Control Commission received a request from the Stadium District Partners, LLC to Transfer Ownership of a 2006 Class C Licensed Business located in escrow at 2820 E. Grand River, Lansing, Michigan 48912, Lansing Township, Ingham County, from Sunil & Rehka Entertainment, LLC to Stadium District Partners, LLC and transfer location (Governmental Unit) to Stadium District Development, E. Michigan, Lansing, Michigan 48933, Ingham County and add a new Dance-Entertainment Permit and additional Bar Permit; and

WHEREAS, the Committee on General Services met on April 30, 2007, and considered the request from the Stadium District Partners, LLC; and

NOW, THEREFORE, BE IT RESOLVED, the Lansing City Council, hereby, approves the Transfer Ownership of a 2006 Class C Licensed Business located in escrow at 2820 E. Grand River, Lansing, Michigan 48912, Lansing Township, Ingham County, from Sunil & Rehka Entertainment, LLC to Stadium District Partners, LLC and transfer location (Governmental Unit) to Stadium District Development, E. Michigan, Lansing, Michigan 48933, Ingham County and add a new Dance-Entertainment Permit and additional Bar Permit;

BE IT FURTHER RESOLVED, that the 2006 Class C Licensed Business be held in escrow by the Michigan Liquor Control Commission in the name of Stadium District Partners LLC along with a new Dance-Entertainment Permit and additional Bar Permit until such time as the City of Lansing issues a Certificate of Occupancy for the Licensed Premises.

BE IT FINALLY RESOLVED that the City Clerk is requested to notify the Consumer and Industry Services Department, Liquor Control Commission, 7150 Harris Drive, PO Box 30005, Lansing, Michigan 48909-7505 of the approval by the City Council.

By Councilmember Kaltenbach

Motion Carried

RESOLUTION#153

BY THE COMMITTEE ON GENERAL SERVICES
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, The Memorial Review Board received an application from the Cesar Chavez Commission requesting authorization for the establishment of a permanent Memorial Statue in honor of Cesar Chavez; and

WHEREAS, The Memorial Review Board reviewed the application and recommended the request be granted in accordance to Ordinance 1034; and

WHEREAS, The Cesar Chavez Commission worked diligently with the Administration and agreed on the size and location for the monument; and

WHEREAS, The Committee on General Services reviewed the application and recommended supporting the Administration's and Memorial Review's Board's recommendation to approve the Cesar Chavez memorial statue;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, reaffirms the authorization for the construction of a memorial statue in memory of Cesar Chavez to be placed on the corner of Michigan and Capitol Avenue with the design and size agreed.

BE IT FURTHER RESOLVED that the Cesar Chavez Commission shall have raised all funding to complete the project prior to any construction of the pavers or placement of the monument.

By Councilmember Kaltenbach

Motion Carried

REPORTS FROM COUNCIL COMMITTEES

RESOLUTION#154
COMMITTEE REPORT

THE COMMITTEE ON DEVELOPMENT AND PLANNING recommended adoption of an Ordinance to amend the Code of Ordinances of the City of Lansing by Amending Chapter 884, and adding a new section of 884.11 for the purpose of providing a Payment of Service Charge in Lieu of Taxes (PILOT) for forty-four low or moderate income elderly dwelling units in a project known as the "Abigail", located at 715 W. Willow, pursuant to the provisions of the State Housing Development Authority Act of 1966, as amended.

The Committee recommends adoption of an Ordinance to amend the Code of Ordinances of the City of Lansing by Amending Chapter 884, and adding a new section of 884.11 for the purpose of providing a Payment of Service Charge in Lieu of Taxes (PILOT) for forty-four low or moderate income elderly dwelling units in a project known as the "Abigail", located at 715 W. Willow, pursuant to the provisions of the State Housing Development Authority Act of 1966, as amended.

By the Committee on Development and Planning

Signed: Brian C. Jeffries, Chair
Sandy Allen, Vice Chair
Kathie Dunbar, Member

April 30, 2007

By Councilmember Jeffries

To receive this committee report

Motion Carried

RESOLUTION#155
COMMITTEE REPORT

THE COMMITTEE OF THE WHOLE met and reviewed the amendment to the Code of Ordinances by adding Section 810.23 for the purpose of authorizing a New Video Service Franchise Agreement with Comcast of Michigan, LLC with those video service provider fees previously established by the City pursuant to the newly enacted Uniform Video Services Local Franchise Act.

The Committee recommends adoption of the amendment to the Code of Ordinances by adding Section 810.23 for the purpose of authorizing a New Video Service Franchise Agreement with Comcast of Michigan, LLC with those video service provider fees previously established by the City pursuant to the newly enacted Uniform Video Services Local Franchise Act.

April 30, 2007

By the Committee of the Whole

Signed: Harold Leeman, Chair
Brian Jeffries, Vice chair

By Councilmember Jeffries

To receive this committee report

Motion Carried

ORDINANCES FOR INTRODUCTION

There were no Ordinances for Introduction

ORDINANCES FOR PASSAGE

By Councilmember Jeffries

That we move to the passage of Ordinances

Motion Carried

By Councilmember Jeffries

That the Ordinance when read by its title be considered as read in its entirety.

Motion Carried

BY THE COMMITTEE ON DEVELOPMENT AND PLANNING

By Councilmember Jeffries

That:

An Ordinance of the City of Lansing, Michigan, to amend the Code of Ordinances of the City of Lansing by amending Chapter 884 and adding a new section 884.11 for the purposes of providing for a Service Charge in Lieu of Taxes for forty-four low or moderate income elderly dwelling units in a project known as the Abigail, pursuant to the provisions of the State Housing Development Authority Act of 1966, as amended

be placed on order of immediate passage.

BY THE COMMITTEE ON DEVELOPMENT AND PLANNING

By Councilmember Jeffries

That:

An Ordinance of the City of Lansing, Michigan, to amend the Code of Ordinances of the City of Lansing by amending Chapter 884 and adding a new section 884.11 for the purposes of providing for a Service Charge in Lieu of Taxes for forty-four low or moderate income elderly dwelling units in a project known as the Abigail, pursuant to the provisions of the State Housing Development Authority Act of 1966, as amended

be now passed.

YEAS: Councilmembers, Allen, Dunbar, Jeffries, Kaltenbach, Leeman, Quinney and Wood

NAYS: None

ABSENT: None

By Councilmember Jeffries

THAT THIS ORDINANCE, BEING NECESSARY FOR THE IMMEDIATE PRESERVATION OF THE PUBLIC, PEACE, HEALTH, OR SAFETY SHALL TAKE EFFECT UPON ITS PASSAGE

Motion Carried

ORDINANCE #1122

AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, TO AMEND THE CODE OF ORDINANCES OF THE CITY OF LANSING BY AMENDING CHAPTER 884 AND ADDING A NEW SECTION 884.11 FOR THE PURPOSES OF PROVIDING FOR A SERVICE CHARGE IN LIEU OF TAXES FOR FORTY-FOUR LOW OR MODERATE INCOME ELDERLY DWELLING UNITS IN A PROJECT KNOWN AS THE ABIGAIL, PURSUANT TO THE PROVISIONS OF THE STATE HOUSING DEVELOPMENT AUTHORITY ACT OF 1966, AS AMENDED.

THE CITY OF LANSING ORDAINS:

Section 1. That Chapter 884 of the Code of Ordinances of the City of Lansing, Michigan be amended to add a new section 884.11 to read as follows:

884.11 THE ABIGAIL

(A) PURPOSE. IT IS ACKNOWLEDGED THAT IT IS A PROPER PUBLIC PURPOSE OF THE STATE AND ITS POLITICAL SUBDIVISIONS TO PROVIDE HOUSING FOR ITS RESIDENTS OF LOW AND MODERATE INCOME AND TO ENCOURAGE THE DEVELOPMENT OF SUCH HOUSING BY PROVIDING FOR A SERVICE CHARGE IN LIEU OF PROPERTY TAXES IN ACCORDANCE WITH THE STATE HOUSING DEVELOPMENT AUTHORITY ACT OF 1966, BEING PUBLIC ACT 346 OF 1966, AS AMENDED [MCL 125.1401, ET SEQ]. THE CITY IS AUTHORIZED BY SUCH ACT TO ESTABLISH OR CHANGE THE SERVICE CHARGE TO BE PAID IN LIEU OF TAXES BY ANY OR ALL CLASSES OF HOUSING EXEMPT FROM TAXATION UNDER SUCH ACT AT ANY AMOUNT IT CHOOSES, NOT TO EXCEED THE TAXES THAT WOULD BE PAID BUT FOR THIS ACT. IT IS FURTHER ACKNOWLEDGED THAT SUCH HOUSING FOR ELDERLY PERSONS OF LOW AND MODERATE INCOME IS A PUBLIC NECESSITY, AND AS THE CITY WILL BE BENEFITED AND IMPROVED BY SUCH HOUSING, THE ENCOURAGEMENT OF THE SAME BY PROVIDING CERTAIN REAL ESTATE TAX EXEMPTION FOR SUCH HOUSINGS IS A VALID PUBLIC PURPOSE.

(B) DEFINITIONS.

"ACT" MEANS THE STATE HOUSING DEVELOPMENT AUTHORITY ACT, BEING PUBLIC ACT 346 OF 1966, AS AMENDED.

"ANNUAL SHELTER RENTS" MEANS THE TOTAL COLLECTIONS DURING AN AGREED ANNUAL PERIOD FROM ALL ELDERLY PERSONS OF LOW OR MODERATE INCOME, OCCUPYING THE HOUSING DEVELOPMENT REPRESENTING RENTS FOR OCCUPANCY, WHICH RENTAL AMOUNTS SHALL BE EXCLUSIVE OF CHARGES FOR GAS, ELECTRICITY, HEAT OR OTHER UTILITIES FURNISHED TO THE OCCUPANTS.

"AUTHORITY" MEANS THE MICHIGAN STATE HOUSING DEVELOPMENT AUTHORITY.

"CONTRACT RENTS" ARE AS DEFINED BY THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT IN REGULATIONS PROMULGATED PURSUANT TO SECTION 8 OF

THE U.S. HOUSING ACT OF 1937, AS AMENDED BY THE HOUSING AND COMMUNITY DEVELOPMENT ACT OF 1974.

"ELDERLY PERSONS" MEANS (i) A SINGLE PERSON WHO IS FIFTY-FIVE (55) YEARS OF AGE OR OLDER OR A HOUSEHOLD IN WHICH AT LEAST ONE MEMBER IS 55 YEARS OLD OR OLDER OR; (ii) A PERSON WITH DISABILITIES, A DISABLED FAMILY, OR DISPLACED FAMILY, ALL AS DEFINED IN 24 CFR 5.403.

"HOUSING DEVELOPMENT" OR "DEVELOPMENT" MEANS A DEVELOPMENT WHICH CONTAINS A SIGNIFICANT ELEMENT OF HOUSING FOR ELDERLY PERSONS OF LOW AND MODERATE INCOME AND SUCH ELEMENTS OF OTHER HOUSING, COMMERCIAL, RECREATIONAL, INDUSTRIAL, COMMUNAL AND EDUCATIONAL FACILITIES AS THE AUTHORITY MAY DETERMINE WILL IMPROVE THE QUALITY OF THE DEVELOPMENT AS IT RELATES TO HOUSING FOR PERSONS OF LOW AND MODERATE INCOME. FOR THE PURPOSE OF THIS SECTION, THE NAME OF THIS DEVELOPMENT IS THE ABIGAIL, AND IT CONSISTS OF FOURTY-FOUR (44) UNITS OF RENTAL HOUSING LOCATED WITHIN LANSING AT 715 W. WILLOW (PPN 33-01-01-08-427-031).

"HUD" MEANS THE DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT OF THE UNITED STATES GOVERNMENT.

"LOW INCOME HOUSING TAX CREDIT PROGRAM" MEANS THE PROGRAM ESTABLISHED BY SECTION 42 OF THE UNITED STATES INTERNAL REVENUE CODE.

"LOW OR MODERATE INCOME" MEANS LOW OR MODERATE INCOME ELIGIBILITY UNDER THE AUTHORITY ACT OR RULES.

"MORTGAGE LOAN" MEANS A LOAN TO BE MADE BY A PRIVATE ENTITY, OR INSURED BY HUD, OR A LOAN FROM THE AUTHORITY, FOR THE FINANCING OF THE PURCHASE AND CONSTRUCTION OF THE HOUSING DEVELOPMENT.

"SPONSOR" MEANS A PERSON OR OTHER ENTITY WITH A HOUSING DEVELOPMENT WHICH IS FINANCED OR ASSISTED PURSUANT TO THE ACT. FOR PURPOSES OF THIS SECTION, THE SPONSOR OF THE ABIGAIL LIMITED DIVIDEND HOUSING ASSOCIATION LIMITED PARTNERSHIP OR ITS SUCCESSORS OR ASSIGNS.

"UTILITIES" MEANS FUEL, WATER, SANITARY SEWER AND/OR ELECTRICAL SERVICE, WHICH IS PAID FOR BY THE HOUSING DEVELOPMENT.

(C) ESTABLISHMENT OF ANNUAL SERVICE CHARGE.

1. THE CITY ACKNOWLEDGES THAT THE SPONSOR AND THE AUTHORITY HAVE ESTABLISHED THE ECONOMIC FEASIBILITY OF THE OLIVER GARDEN APARTMENTS HOUSING DEVELOPMENT IN RELIANCE UPON THE ENACTMENT AND CONTINUING EFFECT OF THIS SECTION AND UPON THE QUALIFICATION OF THE FOURTY-FOUR (44) UNITS OF ELDERLY HOUSING IN THE HOUSING DEVELOPMENT FOR EXEMPTION FROM ALL PROPERTY TAXES AS ESTABLISHED IN THIS SECTION.

2. SUBJECT TO THE CONDITIONS AND REQUIREMENTS OF THIS SECTION AND THE ACT, THE THIRY UNITS IN THE ELDERLY HOUSING DEVELOPMENT FOR PERSONS OF LOW AND MODERATE INCOME IDENTIFIED AS OLIVER GARDEN APARTMENTS AND THE PROPERTY ON WHICH THEY ARE CONSTRUCTED SHALL BE EXEMPT FROM ALL PROPERTY TAXES FOR NOT MORE THAN 35 YEARS, COMMENCING WITH AND INCLUDING TAX YEAR 2006.

3. IN LIEU OF ALL SAID PROPERTY TAXES ON THE FOURTY-FOUR (44) UNITS IN THE ELDERLY HOUSING

DEVELOPMENT, THE SPONSOR SHALL PAY, AND THE CITY WILL ACCEPT, AN ANNUAL SERVICE CHARGE FOR PUBLIC SERVICES, IN THE SUM EQUAL TO:

i. FOUR PERCENT (4 %) OF THE DIFFERENCE BETWEEN NINETY-FIVE PERCENT (95%) OF CONTRACT RENTS ACTUALLY COLLECTED AND UTILITIES IF AND WHEN THE HOUSING DEVELOPMENT BENEFITS FROM A SECTION 8 CONTRACT; OR

ii. IF A SECTION 8 CONTRACT IS NOT IN EFFECT FOR THE HOUSING DEVELOPMENT, TEN PERCENT (10%) OF THE DIFFERENCE BETWEEN THE ANNUAL SHELTER RENTS ACTUALLY COLLECTED AND UTILITIES.

4. THE EXEMPTION PROVIDED UNDER THIS ORDINANCE SHALL COMMENCE WHEN THE SPONSOR COMPLIES WITH SECTION 5(A)(1) OF 1966 PA 346, AS AMENDED, CODIFIED AT MCL 125.415(A)(1), WHICH PROVIDES: THE OWNER OF A HOUSING PROJECT ELIGIBLE FOR THE EXEMPTION SHALL FILE WITH THE LOCAL ASSESSING OFFICER (THE CITY ASSESSOR) A NOTIFICATION OF THE EXEMPTION, WHICH SHALL BE IN AN AFFIDAVIT FORM AS PROVIDED BY THE AUTHORITY. THE COMPLETED AFFIDAVIT FORM FIRST SHALL BE SUBMITTED TO THE AUTHORITY FOR CERTIFICATION BY THE AUTHORITY THAT THE PROJECT IS ELIGIBLE FOR THE EXEMPTION. THE OWNER THEN SHALL FILE THE CERTIFIED NOTIFICATION OF THE EXEMPTION WITH THE LOCAL ASSESSING OFFICER BEFORE NOVEMBER 1 OF THE YEAR PRECEDING THE TAX YEAR IN WHICH THE EXEMPTION IS TO BEGIN.

5. IN ADDITION TO THE CERTIFICATION REQUIRED PURSUANT TO PARAGRAPH 4 OF THIS SUBSECTION (C), THE SPONSOR SHALL PROVIDE FOR THE HOUSING DEVELOPMENT ANNUALLY IN WRITING TO THE CITY ASSESSOR FOR THE PRECEDING YEAR IN WHICH THE PROPERTY TAX EXEMPTION WAS IN EFFECT:

i. THE ANNUAL AUDITED ACCOUNTING REPORT FOR THE PAYMENT IN LIEU OF TAXES; AND

ii. A CERTIFIED STATEMENT IDENTIFYING ALL THE UNITS RENTED TO ELDERLY PERSONS OF LOW OF MODERATE INCOME; AND

iii. IF REQUESTED BY THE CITY, PROOF THAT THE HOUSING DEVELOPMENT UNITS HAVE NOT INCREASED, DECREASED, OR BEEN ALTERED IN ANY FORM, UNLESS THE CITY HAS OTHERWISE AMENDED THE PROVISIONS OF THIS SECTION.

(D) LIMITATION ON THE PAYMENT OF THE ANNUAL SERVICE CHARGE. NOTWITHSTANDING SUBSECTION (C), THE SERVICE CHARGE TO BE PAID EACH YEAR IN LIEU OF TAXES FOR THE PART OF THE HOUSING DEVELOPMENT PROJECT THAT IS TAX EXEMPT AND OCCUPIED BY OTHER THAN LOW OR MODERATE INCOME ELDERLY PERSONS SHALL BE EQUAL TO THE FULL AMOUNT OF THE TAXES THAT WOULD OTHERWISE BE DUE AND PAYABLE ON THAT PORTION OF THE HOUSING DEVELOPMENT PROJECT IF THE PROJECT WERE NOT TAX EXEMPT.

(E) PAYMENT OF ANNUAL SERVICE CHARGE. THE SERVICE CHARGE IN LIEU OF TAXES, AS ESTABLISHED UNDER THIS SECTION, SHALL BE PAYABLE IN THE SAME MANNER AS GENERAL PROPERTY TAXES ARE PAYABLE TO THE CITY, EXCEPT THAT THE ANNUAL PAYMENT SHALL BE MADE ON OR BEFORE JULY 1 OF THE YEAR FOLLOWING THE YEAR UPON WHICH SUCH CHARGE IS CALCULATED.

(F) CONTRACTUAL EFFECT.

NOTWITHSTANDING THE PROVISIONS OF SECTION 15(A)(5) OF THE ACT TO THE CONTRARY, A CONTRACT BETWEEN THE CITY AND THE SPONSOR WITH THE AUTHORITY AS THIRD PARTY BENEFICIARY UNDER THE CONTRACT, TO PROVIDE TAX EXEMPTION AND ACCEPT PAYMENT IN LIEU OF TAXES AS PREVIOUSLY DESCRIBED, IS EFFECTUATED BY THE ENACTMENT OF THIS ORDINANCE.

(G) DURATION. THIS ORDINANCE SHALL REMAIN IN EFFECT AND SHALL NOT TERMINATE FOR 20 YEARS, COMMENCING WITH AND INCLUDING TAX YEAR 2007, PROVIDED THAT THE SPONSOR COMPLIES WITH THE REQUIREMENTS OF THE ACT AND THIS ORDINANCE, AND FURTHER PROVIDED THAT THE HOUSING DEVELOPMENT CONTINUES TO BE ASSISTED BY SECTION 8 OF THE U.S. HOUSING DEVELOPMENT ACT OF 1937, AS AMENDED BY THE HOUSING AND COMMUNITY DEVELOPMENT ACT OF 1974, AS THE SAME MAYBE FURTHER AMENDED OR SUPERSEDED, OR THERE IS AN AUTHORITY-AIDED OR FEDERALLY-AIDED MORTGAGE ON THE HOUSING DEVELOPMENT AS PROVIDED IN THE ACT, OR THE AUTHORITY OR HUD HAS AN INTEREST IN THE PROPERTY; BUT IN NO EVENT BEYOND DECEMBER 31, 2027. FURTHERMORE, SO LONG AS THE HOUSING DEVELOPMENT IS FINANCED BY A FEDERALLY INSURED MORTGAGE AND AFTER THE END OF THE SECTION 8 CONTRACT, AS IT MAY BE REPLACED OR EXTENDED, OCCUPANCY IS RESTRICTED TO ELDERLY PERSONS WHOSE INCOMES DO NOT EXCEED 60% OF AREA MEDIAN INCOME AND RENTS ARE RESTRICTED AS PROVIDED FOR PERSONS AT 60% OF AREA MEDIAN INCOME, ALL AS DETERMINED UNDER THE LOW INCOME HOUSING TAX CREDIT PROGRAM, THE DEVELOPMENT SHALL BE DEEMED TO BE FINANCED BY A FEDERALLY-AIDED MORTGAGE. IF THE SPONSOR CHANGES THE SCOPE OR PURPOSE OF THE FOURTY-FOUR (44) UNITS OF ELDERLY HOUSING WITHIN THE DEVELOPMENT WITHOUT THE CONSENT OF THE CITY OF LANSING, BY AND THROUGH ITS REPRESENTATIVES, AND IN ACCORDANCE WITH THE REQUIREMENTS OF THE LANSING CITY CHARTER, THIS SECTION SHALL AUTOMATICALLY EXPIRE AND BE OF NO EFFECT.

Section 2. All ordinances, resolutions or rules, parts of ordinances, resolutions or rules inconsistent with the provisions hereof are hereby repealed as they pertain to the Oliver Garden housing development

Section 3. Should any section, clause or phrase of this ordinance be declared to be invalid, the same shall not affect the validity of the ordinance as a whole, or any part thereof other than the part so declared to be valid.

Section 4. This ordinance shall take effect on the 30th day after enactment unless given immediate effect by the City Council.

This Ordinance was given immediate effect by motion of Councilmember Jeffries

CHRIS SWOPE, LANSING CITY CLERK

By Councilmember Leeman

That the Ordinance when read by its title be considered as read in its entirety.

Motion Carried

BY THE COMMITTEE OF THE WHOLE

By Councilmember Leeman

That:

An Ordinance of the City of Lansing, Michigan, to Amend Chapter

810 of the Lansing Codified Ordinances by adding Section 810.23 authorizing a new Video Service Franchise Agreement with Comcast of Michigan, LLC with those video service provider fees previously established by the City pursuant to the newly enacted Uniform Video Services Local Franchise Act be placed on order of immediate passage.

BY THE COMMITTEE OF THE WHOLE

By Councilmember Leeman

That:

An Ordinance of the City of Lansing, Michigan, to Amend Chapter 810 of the Lansing Codified Ordinances by adding Section 810.23 authorizing a new Video Service Franchise Agreement with Comcast of Michigan, LLC with those video service provider fees previously established by the City pursuant to the newly enacted Uniform Video Services Local Franchise Act be now passed.

YEAS: Councilmembers, Allen, Dunbar, Jeffries, Kaltenbach, Leeman, Quinney and Wood

NAYS: None

ABSENT: None

By Councilmember Jeffries

THAT THIS ORDINANCE, BEING NECESSARY FOR THE IMMEDIATE PRESERVATION OF THE PUBLIC, PEACE, HEALTH, OR SAFETY SHALL TAKE EFFECT UPON ITS PASSAGE

Motion Carried

ORDINANCE#1123

AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, TO AMEND CHAPTER 810 OF THE LANSING CODIFIED ORDINANCES BY ADDING SECTION 810.23 AUTHORIZING A NEW VIDEO SERVICE FRANCHISE AGREEMENT WITH COMCAST OF MICHIGAN, LLC WITH THOSE VIDEO SERVICE PROVIDER FEES PREVIOUSLY ESTABLISHED BY THE CITY PURSUANT TO THE NEWLY ENACTED UNIFORM VIDEO SERVICES LOCAL FRANCHISE ACT.

THE CITY OF LANSING ORDAINS:

Section 1. That Chapter 810 of the Codified Ordinances of the City of Lansing, Michigan, be and is hereby amended by adding section 810.23 to read as follows:

810.23 THE CITY AUTHORIZES A VIDEO SERVICE FRANCHISE WITH COMCAST OF MICHIGAN, LLC WITH THOSE VIDEO SERVICE PROVIDER FEES PREVIOUSLY ESTABLISHED BY THE CITY PURSUANT TO THE PROCESS SET FORTH BY PUBLIC ACT 480 OF 2006 (THE UNIFORM VIDEO SERVICES LOCAL FRANCHISE ACT), WHICH REQUIRES VIDEO SERVICE PROVIDERS TO OBTAIN A FRANCHISE FROM THE CITY BY MEANS OF A UNIFORM VIDEO SERVICE LOCAL FRANCHISE AGREEMENT (UNIFORM FRANCHISE) AS FOLLOWS:

(A) PURSUANT TO ITS AUTHORITY UNDER THE UNIFORM VIDEO SERVICES LOCAL FRANCHISE ACT AND CONSISTENT WITH ITS UNIFORM FRANCHISE WITH ARIALINK TELECOM LLC, THE CITY HAS PREVIOUSLY ESTABLISHED THAT AN ANNUAL FEE OF 2% OF GROSS REVENUES FROM VIDEO SERVICE PROVIDERS IS NECESSARY AS SUPPORT FOR THE COST OF PUBLIC, EDUCATION, AND GOVERNMENT ACCESS FACILITIES AND SERVICES, AS DETERMINED BY THE CITY'S COMMUNITY NEEDS ASSESSMENT.

(B) PURSUANT TO ITS AUTHORITY UNDER THE UNIFORM VIDEO SERVICES LOCAL FRANCHISE ACT AND CONSISTENT WITH ITS UNIFORM FRANCHISE WITH ARIALINK TELECOM LLC, THE CITY HAS PREVIOUSLY ESTABLISHED A FEE OF 5% OF GROSS REVENUES FROM VIDEO SERVICE PROVIDERS AS THE ANNUAL VIDEO SERVICE PROVIDER FEE, SOMETIMES CALLED A FRANCHISE FEE.

(C) PURSUANT TO ITS AUTHORITY UNDER THE UNIFORM VIDEO SERVICES LOCAL FRANCHISE ACT, THE CITY HEREBY APPROVES THE UNIFORM VIDEO SERVICE LOCAL FRANCHISE AGREEMENT SUBMITTED BY COMCAST OF MICHIGAN, LLC WITH A 5% FEE IN SECTION VI.A.ii AND A 2% PEG SUPPORT FEE IN SECTION VIII.A.3

(D) THE APPROVAL OF COMCAST OF MICHIGAN, LLC'S UNIFORM VIDEO SERVICE LOCAL FRANCHISE AGREEMENT AND THE SIGNATURE OF THE MAYOR ON IT SHALL NOT BE CONSTRUED OR UNDERSTOOD TO BE A WAIVER BY THE CITY OF ITS POLICE POWERS; RIGHTS IT MAY POSSESS UNDER, OR AUTHORITY IT MAY POSSESS UNDER, THE UNIFORM VIDEO SERVICES LOCAL FRANCHISE ACT, MICHIGAN LAW, THE MICHIGAN CONSTITUTION, OR FEDERAL LAW; OR ITS RIGHT TO CHALLENGE OR MODIFY A UNIFORM FRANCHISE IF THE ACT IN WHOLE OR IN PART IS OVERTURNED BY THE COURTS.

Section 2. All ordinances, resolutions or rules, parts of ordinances, resolutions or rules inconsistent with the provisions hereof are hereby repealed.

Section 3. Should any section, clause or phrase of this ordinance be declared to be invalid, the same shall not affect the validity of the ordinance as a whole, or any part thereof other than the part so declared to be invalid.

Section 4. This ordinance shall take effect on the 30th day after enactment unless given immediate effect by City Council.

This Ordinance was given immediate effect by motion of Councilmember Jeffries

CHRIS SWOPE, LANSING CITY CLERK

REPORTS FROM CITY OFFICERS, BOARDS, AND COMMISSIONS; COMMUNICATIONS AND PETITIONS; AND OTHER CITY RELATED MATTERS

By Councilmember Jeffries that all items be considered as being read in full and that President Leeman make the appropriate referrals

Motion Carried

- Reports from City Officers, Board and Commissions:
- a. Letter from the City Clerk submitting an application for a permit/license filed by MKE, Inc. to enlarge an existing outdoor service area to be held in conjunction with the 2006 Class C Licensed Business with Dance-Entertainment Permit to be located on the city sidewalk at 206 S. Washington Sq.

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

- b. Letter from the City Attorney re: William Hill v City of Lansing, et al

RECEIVED AND PLACED ON FILE

c. Letters from the Mayor re:

- i. Application for Neighborhood Enterprise Zone (NEZ) Certificate filed by Sixty North HB, LLC for property located at 110 E. Allegan St.

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

- ii. Request for a Waiver of the Provisions of the Noise Ordinance contained in Chapter 654 of the Code of Ordinances and Requests for Public Hearings for:

- Kamminga & Roodvoets, Inc. to work on Saturdays from 8:00 a.m. to 8:00 p.m. for construction activities in the CSO 018 Southeast Project Area
- Kamminga & Roodvoets, Inc. to work on Saturdays from 8:00 a.m. to 8:00 p.m. for construction activities in the CSO 023 Project Area
- Kamminga & Roodvoets, Inc. to work on Saturdays from 8:00 a.m. to 8:00 p.m. and twenty-four (24) hours a day, seven days a week, for construction activities in the CSO Downtown-Kalamazoo/Seymour Street Project Area

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

- iii. Transfer of Funds; City Supported Agencies – BoarsHead Theatre

REFERRED TO THE COMMITTEE ON WAYS AND MEANS AND THE INTERNAL AUDITOR

- * SUSPENSION ITEM-Letter from the Mayor re: Reappointment of Robin Smith to the Board of Water and Light Board of Commissioners for a 3rd Ward Term to Expire June 30, 2011

REFERRED TO THE COMMITTEE OF THE WHOLE

- Communications and Petitions, and Other City Related Matters:
- a. Notices from the State of Michigan Public Service Commission of public hearings for the Electric Customers of Consumers Energy Company:

- Case No. U-14701-R to be held May 8, 2007
- Case No. U-15245 to be held May 10, 2007

REFERRED TO THE CITY ATTORNEY

- b. Michigan Tax Tribunal Appeal filed on behalf of Precision Castparts Corp. for property located at 2727 Lyons Ave.

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING AND REFERRED TO THE PLANNING AND DEVELOPMENT DEPARTMENT AND REFERRED TO THE CITY ASSESSOR

- c. Letter from the State of Michigan Department of Treasury providing notice of the issuance of a New Personal

Property Tax Exemption (PPE) Certificate to MDA Insurance and Financial group, Inc., located at 201 Townsend St.

REFERRED TO THE PLANNING AND DEVELOPMENT DEPARTMENT AND REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING AND REFERRED TO THE CITY ATTORNEY

- d. Letter from the State of Michigan Department of Treasury providing notice of the issuance of a New Personal Property Tax Exemption (PPE) Certificate to Michigan Dental Association, located at 201 Townsend St.

REFERRED TO THE PLANNING AND DEVELOPMENT DEPARTMENT AND REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING AND REFERRED TO THE CITY ATTORNEY

- e. Notice from the State of Michigan Department of Labor and Economic Growth Bureau of Construction Codes of a public hearing on the proposed amendments to Rehabilitation Code Rules and Building/Residential Code Rules to be held on May 31, 2007

REFERRED TO THE PLANNING AND DEVELOPMENT DEPARTMENT AND REFERRED TO THE BUILDING SAFETY DEPARTMENT AND REFERRED TO THE COMMITTEE ON PUBLIC SAFETY AND REFERRED TO THE CITY ATTORNEY

- f. Letter from Comcast Cable providing notice of service fees effective July 1, 2007

RECEIVED AND PLACED ON FILE

- g. Letter from Del Maynard, no address given, stating concerns with the way the City spends money

REFERRED TO THE COMMITTEE OF THE WHOLE AND REFERRED TO BUDGET

- h. Application for Community Funding filed by the Old Town Commercial Association for their "Festival of the Sun" event to be held June 23, 2007

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

ADJOURNED TIME 9:17 P.M.

CHRIS SWOPE, CITY CLERK



**OFFICIAL PROCEEDINGS OF
THE CITY COUNCIL
CITY OF LANSING
CORRECTED
PROCEEDINGS OF MAY 7, 2007**

City Council Chambers
Lansing, Michigan

of Appointments and Reappointments to various City
boards and commissions

The City Council of the City of Lansing met in regular session and was called to order at 7:00 p.m. by President Leeman.

PRESENT: Councilmembers Allen, Dunbar, Jeffries, Kaltenbach, Leeman, Quinney, Wood

ABSENT: None

Meditation and Pledge of Allegiance led by President Leeman

RESOLUTION#156

BY THE COMMITTEE OF THE WHOLE
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, an Third Ward seat became vacant on April 16, 2007; and

WHEREAS, the City Council developed a process to appoint someone to the vacant Third Ward seat within 30 days; and

WHEREAS, the City Council interviewed all qualified applicants for a Committee of the Whole meeting on Tuesday, May 1, 2007; and

WHEREAS, William Matt, A'Lynne Robinson, Wes Thorpe, and Kevin Tyrrell were selected under the process; and

WHEREAS, the finalists were interviewed during the May 3, 2007, Committee of the Whole meeting, at which each Councilmember voted for one and only one finalist on the record and through an open, signed ballot; and

WHEREAS, under the Council process, the candidate receiving the most votes was to be selected as the appointee; and

WHEREAS, William Matt received the most votes;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council appoints William Matt to fill the vacant Third Ward seat until noon on January 1, 2008, which under the Charter is the January first following the earliest November general election at which a successor can be elected to fill the office for the remainder of the term.

By Councilmember Jeffries

Motion Carried

CONSIDERATION OF LATE ITEMS

By Vice President Jeffries

To suspend City Council Rule #11 to allow for Consideration of Late Items

Motion carried

The following items were added to the agenda:

1. From Councilmember Wood; Transfer of Funds; City Supported Agencies - BoarsHead Theater
2. From Councilmember Jeffries; Letter from the Mayor re: List

APPROVAL OF MINUTES

By Councilmember Jeffries

To approve the printed Council Proceedings of April 16, 23 and 30, 2007

Motion carried

TABLED ITEMS

SPECIAL CEREMONIES

• Special Ceremonies

1. Presentation; Board of Water and Light on National Water Works

Cheval Breggins thanked the City Council and the City Clerk's Office for allowing the Board of Water and Light to serve as a polling location for elections. He stated that May 6 – 12, 2007 is National Drinking Water Week. He said on Thursday, May 10 from 12:00 noon to 1:00 p.m. at the Northeast Corner of Allegan St. and Washington Square, the Board of Water and Light will be giving out about 1,500 bottles of water during the lunch rush hour.

2. Presentation; Mayor's Hometown Hero Award honoring Chris Conner for leading the "Capital City Clean Sweep" Event

This Special Ceremony was pulled from the Agenda

**COUNCILMEMBERS' COMMENTS
AND CITY CLERK'S ANNOUNCEMENTS:**

Councilmember Quinney stated that his nephew and his son graduated from Michigan State University and congratulated both young men for their achievements. He asked the Administration to see what can be done about the road conditions on Holmes Rd. near Martin Luther King Jr. Blvd. and Waverly Rd.

Councilmember Kaltenbach asked the Administration to provide the City Council with a copy of the road construction schedule for this year.

President Leeman recessed the Council Meeting at 7:22 p.m. due to an emergency alarm.

President Leeman called the Council back to order at 7:35 p.m.

Councilmember Allen asked the Administration to review the yard waste collection policy regarding the use of reusable containers. She said this new policy is extremely difficult on seniors and that we need to make it easier for them as well as handicap residents.

Councilmember Wood stated that she too would like to see the yard waste policy changed and that this was something that was not

approved by the Council. She announced that on Tuesday, May 15 from 10:00 a.m. – 2:00 p.m. the Asian American Heritage Celebration will be held at the Capitol. At Hunter Park on Saturday, May 12 the "Saturday in the Park" event will be held from 1:00 p.m. – 4:00 p.m. Faith United Methodist Church will be hosting a Gospel Explosion for Mothers Day on Saturday, May 12 at 6:30 p.m.

Councilmember Dunbar stated that there are waivers available through the Waste Reduction Department at 601 E. South St. for anyone having problems with the yard waste policy.

President Leeman gave additional information about the "Saturday in the Park" event and said for more information please call 367-2468. He spoke about the opening of the Allen Street Farmers Market on May 16 at Kalamazoo St. and Allen St. He stated that the market will be open on Wednesdays from 2:30 p.m. – 6:30 p.m.

City Clerk Swope reminded everyone who lives in Lansing but not in the Lansing School District area that there is a school election on Tuesday, May 8. He said there will be a Community Conversation Forum on Tuesday from 4:30 p.m. – 6:30 p.m., regarding the future of our State. The League of Women Voters is hosting a forum on Wednesday, May 9 in East Lansing at the Public Library regarding the State Budget cuts. On Thursday the ACLU Lansing Branch is having their annual meeting at the East Lansing Public Library. On Saturday, May 12 the Tri-County Office on Aging is having their March for Meals at Hawk Island.

SPEAKER REGISTRATION FOR PUBLIC COMMENT

(Clerk Swope announced that the public comment registration form(s) for those intending to address Council on legislative or City government matters will be collected and that only those persons who have fully completed the form(s) will be permitted to speak.)

MAYOR'S COMMENTS

Jerry Ambrose, Executive Assistant to Mayor Bernero spoke about the first annual Capital Area Clean Sweep event that took place in downtown over the weekend. He thanked Chris Conner for putting this event together. He spoke about the new safety procedure for construction projects. He thanked the Police and Fire Departments for their response to the latest gas main break. He spoke about a new business in downtown called "Decker's Coffee Co." He spoke about the Public Hearing for the Robert P. Busby Memorial. He welcomed Bill Matt to the Lansing City Council.

SHOW CAUSE HEARINGS

- Comment on Scheduled Show Cause Hearings:

There were no Show Cause Hearings

PUBLIC COMMENT ON LEGISLATIVE MATTERS

- Public Comment on Legislative Matters:

Legislative Matters included the following public hearings:

1. In consideration of renaming the East Grand River Bridge the Robert P. Busby Memorial Bridge
2. In consideration of a Request for a Waiver of the Provisions of the Noise Ordinance contained in Chapter 654 of the Code of Ordinances filed by the City of Lansing Public Service Department to allow for construction on Washington Sq. between Ottawa St. and Shiawassee St. from 6:00 a.m. to 9:00 p.m. Monday through Saturday and 8:00 a.m. to 6:00 p.m. on Sunday

Councilmember Kalttenbach gave a brief overview of both public hearings.

William Hubbell of 3916 Wedgewood stated that he was in support of the Robert Busby Memorial.

John Pollard of 1718 Blair spoke in support of the Robert Busby Memorial. He spoke about concerns that he has with the Noise Waiver. He spoke in opposition to the request filed by E. T. Mackenzie for a noise waiver.

Darnell E. Oldham Sr of 3815 Berwick Dr spoke in support of the Robert Busby Memorial. He questioned the liability of E.T. Mackenzie and not having the proper insurance for the work that they do.

Don Dean of 1321 E. North Street spoke in support of the Robert Busby Memorial.

Willy Williams of P O Box 11042 spoke about concerns that he has with E. T. Mackenzie. He spoke in support of the Abigail Housing Project.

Christine Timmon of 2519 Washington spoke in support of the funding for the BoarsHead Theater.

REFERRAL OF PUBLIC HEARINGS

1. In consideration of renaming the East Grand River Bridge the Robert P. Busby Memorial Bridge

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

2. In consideration of a Request for a Waiver of the Provisions of the Noise Ordinance contained in Chapter 654 of the Code of Ordinances filed by the City of Lansing Public Service Department to allow for construction on Washington Sq. between Ottawa St. and Shiawassee St. from 6:00 a.m. to 9:00 p.m. Monday through Saturday and 8:00 a.m. to 6:00 p.m. on Sunday

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

PUBLIC COMMENT ON CITY GOVERNMENT RELATED MATTERS:

Bob Gray of 422 Dadson spoke about various city matters.

John Pollard of 1718 Blair stated concerns that he has with various city issues.

Christine Timmon of 2519 Washington spoke about concerns that she has with the changes to the polling locations.

Darnell E. Oldham Sr of 3815 Berwick Dr spoke about concerns that he has with some of the changes to the polling locations.

William Hubbell of 3916 Wedgewood spoke about various city matters.

Loretta Stanaway of 546 Armstrong stated concerns with the upkeep of Cemeteries.

Jesse Lasorda of 916 Fitting stated concerns with the upkeep of Cemeteries.

Stan Shuck of 818 Cooper spoke about various city matters.

Joan Nelson of 217 Rosamond spoke about some upcoming events in the City.

Frank S. Curtis X of 1137 West Allegan spoke about various city matters.

Willie Davis of 1136 Shepard spoke about concerns that he has with one of the City Parks. He also spoke about concerns with changes to the polling locations.

Don Dean of 1321 E. North St spoke about issues that he has with Comcast. He also spoke about the number of potholes in the City.

LEGISLATIVE MATTERS

RESOLUTIONS

RESOLUTION#157

BY THE COMMITTEE ON DEVELOPMENT AND PLANNING
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the U.S. Department of Housing and Urban Development (HUD) requires that the City of Lansing submit the Annual Consolidated Strategy and Plan Submission (CSPS) or Action Plan in order to receive Community Development fund resources, including Community Development Block Grant (CDBG), HOME and Emergency Shelter Grant (ESG) program funds, for the upcoming fiscal year 2007-2008; and

WHEREAS, the estimated CDBG, HOME and ESG entitlement amount allocated to Lansing for the upcoming fiscal year is \$3,183,140 with an additional amount of \$350,000 in program income estimated to be available from the CDBG & HOME Programs; and

WHEREAS, pursuant to program requirements, the City has conducted a citizen participation and open review process which has included planning consultations and meetings with neighborhood groups, housing and supportive service providers, the State and neighboring local governments; and

WHEREAS, the City has further promoted participation, input and review in the process by conducting two (2) separate advertised public hearings before the Lansing Planning Board, one on housing and community development needs and one on proposed Annual Action Plan program objectives and projected use of Federal entitlement and formula program funds; and

WHEREAS, the City did also initiate and carry out the required thirty (30) day public comment period on the proposed 2008 Annual Action Plan by publishing a summary of the plan in the Lansing State Journal on March 19, 2007; and

WHEREAS, a public hearing was held by the Lansing City Council on April 23, 2007, to again receive citizen comments and recommendations and to give final review to the Annual Action Plan; and

WHEREAS, Federal regulations require the City to make certain certifications and assurances to HUD as a part of the City's application and Annual Action Plan;

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Lansing adopts the Annual Action Plan for the City of Lansing that includes housing and community development goals, objectives and strategies, and the budget for the use of community development fund resources for fiscal year 2007-2008 as proposed by the Committee on Development and Planning; and

BE IT FURTHER RESOLVED that the Mayor, as the City's Chief Executive Officer, is hereby authorized to sign the Annual Action Plan and application for FY 2007-2008, including all understandings,

assurances and certifications contained therein, and to submit the grant application to the Department of Housing and Urban Development; and

BE IT FINALLY RESOLVED that the Mayor is authorized, as the official representative of the City of Lansing, to provide any and all information, to act in connection with the Annual Action Plan application and to execute all agreements, contracts and legal documents, including the Agreement between the City and the Department of Housing and Urban Development, to secure CDBG, HOME and ESG funding and implement the CSPS programs.

By Councilmember Jeffries

Motion Carried

RESOLUTION#158

BY THE COMMITTEE ON GENERAL SERVICES
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Michigan Liquor Control Commission received a request from MKE, INC. to enlarge existing Outdoor Service (1 - AREA) to be held in conjunction with the 2006 Class C Licensed business with Dance-Entertainment Permit, located at 206 S. Washington Square; and

WHEREAS, the Committee on General Services met to consider the request on May 3, 2007;

NOW, THEREFORE, BE IT RESOLVED, the Lansing City Council, hereby, approves enlarging existing Outdoor Service (1 - AREA) to be held in conjunction with the 2006 Class C Licensed business with Dance-Entertainment Permit, located at 206 S. Washington Square.

BE IT FURTHER RESOLVED, the City Clerk is requested to notify the Consumer and Industry Services Department, Liquor Control Commission, 7150 Harris Drive, PO Box 30005, Lansing, Michigan 48909-7505 of the approval by the City Council.

By Councilmember Kaltenbach

Motion Carried

THIS ITEM WAS PULLED FROM THE AGENDA

BY THE COMMITTEE ON GENERAL SERVICES
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Michigan Liquor Control Commission received a request from the City of Lansing to drop McNeil's Market, Inc as co-licensee and add RYJT, LTD as co-licensee on Escrowed 2006 Class C Licensed Business located at 1600 Ormond, Lansing; and

WHEREAS, the Committee on General Services met to consider the request on May 3, 2007;

NOW, THEREFORE, BE IT RESOLVED, the Lansing City Council, hereby, approves dropping McNeil's Market, Inc as co-licensee and add RYJT, LTD as co-licensee on Escrowed 2006 Class C Licensed Business located at 1600 Ormond, Lansing.

BE IT FURTHER RESOLVED, the City Clerk is requested to notify the Consumer and Industry Services Department, Liquor Control Commission, 7150 Harris Drive, PO Box 30005, Lansing, Michigan 48909-7505 of the approval by the City Council.

RESOLUTION#159

BY THE COMMITTEE ON GENERAL SERVICES
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Kamminga & Roodvoets, Inc., has requested a waiver of the noise ordinance to help expedite construction in the CSO 018 Southeast Project Area; and

WHEREAS, the CSO 018 Southeast Project Area is roughly bound by Grand River Avenue, Case Street, Saginaw Street, and Clark Street; and

WHEREAS, the City of Lansing Public Service Department recommends that Kamminga & Roodvoets, Inc., be permitted to work on Saturdays from 8:00 AM to 8:00 PM to conduct construction activities necessary to complete the project in a timely manner;

NOW THEREFORE BE IT RESOLVED that a public hearing be held on Monday, June 11, 2007, at 7:00 PM in the City of Lansing Council Chambers, 124 W. Michigan, in consideration of the request for issuance of a waiver of the noise ordinance in the CSO 018 Southeast Project Area to permit Kamminga & Roodvoets, Inc., to work Saturdays from 8:00 AM to 8:00 PM. This waiver of the noise ordinance would be for the duration of the 2007 construction season and during the 2008 construction season.

By Councilmember Kaltenbach

Motion Carried

RESOLUTION#160

BY THE COMMITTEE ON GENERAL SERVICES
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Kamminga & Roodvoets, Inc., has requested a waiver of the noise ordinance to help expedite construction in the CSO 023 Project Area; and

WHEREAS, the CSO 023 Project Area is roughly bound by Larch Street, Prospect Street, Bingham Street, and Jerome Street; and

WHEREAS, the City of Lansing Public Service Department recommends that Kamminga & Roodvoets, Inc., be permitted to work on Saturdays from 8:00 AM to 8:00 PM to conduct construction activities necessary to complete the project in a timely manner;

NOW THEREFORE BE IT RESOLVED that a public hearing be held on Monday, June 11, 2007, at 7:00 PM in the City of Lansing Council Chambers, 124 W. Michigan, in consideration of the request for issuance of a waiver of the noise ordinance in the CSO 023 Project Area to permit Kamminga & Roodvoets, Inc., to work Saturdays from 8:00 AM to 8:00 PM. This waiver of the noise ordinance would be for the duration of the 2007 construction season.

By Councilmember Kaltenbach

Motion Carried

RESOLUTION#161

BY THE COMMITTEE ON GENERAL SERVICES
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Kamminga & Roodvoets, Inc., has requested a waiver of the noise ordinance to help expedite construction in the CSO Downtown – Kalamazoo Street / Seymour Street Project Area; and

WHEREAS, the CSO Downtown – Kalamazoo Street / Seymour Street Project Area is roughly bound by Capitol Avenue, Washtenaw Street, Cedar Street, and Lenawee Street, and includes Seymour Street to the north between Shiawassee Street and Ottawa Street; and

WHEREAS, the City of Lansing Public Service Department recommends that Kamminga & Roodvoets, Inc., be permitted to conduct construction activities necessary to timely complete the project by working:

on Saturday from 8:00 AM to 8:00 PM,

Monday through Friday, from 8:00 PM to 10:00 PM, and

twenty-four (24) hours a day, seven days a week, while performing construction activities relative to construction of the siphon structure in the Grand River floodplain and while performing the jack-and-bore operation for installation of new sanitary sewer mains in Grand Avenue.

This waiver of the noise ordinance would be for the duration of the 2007 construction season.

NOW THEREFORE BE IT RESOLVED that a public hearing be held on Monday, June 11, 2007, at 7:00 PM in the City of Lansing Council Chambers, 124 W. Michigan, in consideration of the request for issuance of a waiver of the noise ordinance in the CSO Downtown – Kalamazoo Street / Seymour Street Project Area to permit Kamminga & Roodvoets, Inc., to work:

Saturdays from 8:00 AM to 8:00 PM,

Monday through Friday, from 8:00 PM to 10:00 PM, and

twenty-four (24) hours a day, seven days a week, while performing construction activities relative to construction of the siphon structure in the Grand River floodplain and while performing the jack-and-bore operation for installation of new sanitary sewer mains in Grand Avenue.

This waiver of the noise ordinance would be for the duration of the 2007 construction season.

By Councilmember Kaltenbach

Motion Carried

RESOLUTION#162

BY THE COMMITTEE ON GENERAL SERVICES
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the E.T. MacKenzie Company has requested a waiver of the noise ordinance to expedite construction in the CSO 020 Area; and

WHEREAS, the CSO 020 Area is located approximately one block north and two blocks south of Shiawassee Street between Pere Marquette Street and Pennsylvania Avenue, including Pennsylvania Avenue between Shiawassee Street and Michigan Avenue; and

WHEREAS, the E.T. MacKenzie Company would like to work on Saturday from 8:00 AM to 1:00 PM occasionally in order to perform construction work to keep the project on schedule;

NOW THEREFORE BE IT RESOLVED that a public hearing be held on Monday, June 11, 2007, at 7:00 PM in the City of Lansing Council Chambers, 124 W. Michigan, in consideration of the request for an issuance of a waiver of the noise ordinance in the CSO 020 Area to permit the E.T. MacKenzie Company to work Saturdays from 8:00 AM to 1:00 PM. This waiver of the noise ordinance would be for the duration of the 2007 construction season and during the 2008 construction season.

By Councilmember Kaltenbach

Motion Carried

RESOLUTION#163

BY THE COMMITTEE ON WAYS AND MEANS

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, BoarsHead Theater is the premier professional regional theater located in downtown Lansing and contributes to the importance of downtown Lansing as an entertainment district and a destination for people throughout the region; and

WHEREAS, BoarsHead Theater, as is the case for many arts and cultural organizations, has been struggling to maintain their funding and their patrons; and

WHEREAS, the BoarsHead Theater, along with other arts, cultural, athletic, and entertainment organizations and activities, is an important element of the economic viability and quality of life of the community;

NOW, THEREFORE, BE IT RESOLVED that the following FY 2007 transfer be approved, to provide funds to assist BoarsHead Theater with lease payments:

AMOUNT TO TRANSFER	TRANSFER FROM ACCOUNT #	TRANSFER TO ACCOUNT #
\$25,000.00	Debt Service - Principal 101.874400.581000.0	
\$25,000.00		City Supported Agencies- BoarsHead Theater 101.834101.560200.0

By Councilmember Wood

Motion Carried

REPORTS FROM COUNCIL COMMITTEES

RESOLUTION#164 COMMITTEE REPORT

THE COMMITTEE ON DEVELOPMENT AND PLANNING recommended adoption of an Ordinance to amend the Code of Ordinances of the City of Lansing by Amending Chapter 884 and adding a new section 884.11 for the purpose of providing a Payment of Service Charge in Lieu of Taxes (PILOT) for forty-four low to moderate income elderly dwelling units in a project known as the "Abigail", located at 715 W. Willow, pursuant to the provisions of the State Housing Development Authority Act of 1966.

Based on the Committee's recommendation the Lansing City Council adopted the amendment to the Code of Ordinances by adding Chapter 884.11 on Monday, April 30, 2007; however, it contained typographical errors that need to be corrected. Therefore, the Committee recommends reconsideration of the passage of the Ordinance and then repassage of the corrected ordinance.

By the Committee on Development and Planning

Signed: Brian C. Jeffries, Chair

Sandy Allen, Vice Chair

Kathie Dunbar, Member

May 7, 2007

By Councilmember Jeffries

To accept a substitute resolution for the one originally placed in the packet

Motion Carried

By Councilmember Jeffries

To receive the substitute committee report

Motion Carried

ORDINANCES FOR INTRODUCTION

There were no Ordinances for Introduction

ORDINANCES FOR PASSAGE

By Councilmember Jeffries

That we move to the passage of Ordinances

Motion Carried

By Councilmember Jeffries

To reconsider Ordinance #1122 Adopted on April 30, 2007

Motion Carried

By Councilmember Jeffries

To adopt the corrected substitute Ordinance before the City Council

Motion Carried

By Councilmember Jeffries

To amend the substitute Ordinance on page 3, line 3 by striking "(i)" and on page 3, line 5 by striking the second "OR" and the balance of the section

Motion Carried

By Councilmember Jeffries

To amend the substitute Ordinance on page 5, line 7 by striking all of subsection 2 and renumbering the remaining paragraphs

Motion Carried

By Councilmember Jeffries

That the Ordinance when read by its title be considered as read in its entirety.

Motion Carried

BY THE COMMITTEE ON DEVELOPMENT AND PLANNING

By Councilmember Jeffries

That:

An Ordinance of the City of Lansing, Michigan, to amend the Code of Ordinances of the City of Lansing by amending Chapter 884 and adding a new section 884.11 for the purposes of providing for a Service Charge in Lieu of Taxes for forty-four low or moderate income elderly dwelling units in a project known as the Abigail, pursuant to the provisions of the State Housing Development Authority Act of 1966, as amended
be placed on order of immediate passage.

BY THE COMMITTEE ON DEVELOPMENT AND PLANNING

By Councilmember Jeffries

That:

An Ordinance of the City of Lansing, Michigan, to amend the Code of Ordinances of the City of Lansing by amending Chapter 884 and adding a new section 884.11 for the purposes of providing for a Service Charge in Lieu of Taxes for forty-four low or moderate income elderly dwelling units in a project known as the Abigail, pursuant to the provisions of the State Housing Development Authority Act of 1966, as amended
be now passed.

YEAS: Councilmembers, Allen, Dunbar, Jeffries, Kaltenbach, Leeman, Matt, Quinney and Wood

NAYS: None

ABSENT: None

By Councilmember Jeffries

THAT THIS ORDINANCE, BEING NECESSARY FOR THE IMMEDIATE PRESERVATION OF THE PUBLIC, PEACE, HEALTH, OR SAFETY SHALL TAKE EFFECT UPON ITS PASSAGE

Motion Carried

ORDINANCE #1122

AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, TO AMEND THE CODE OF ORDINANCES OF THE CITY OF LANSING BY AMENDING CHAPTER 884 AND ADDING A NEW SECTION 884.11 FOR THE PURPOSES OF PROVIDING FOR A SERVICE CHARGE IN LIEU OF TAXES FOR FORTY-FOUR LOW OR MODERATE INCOME ELDERLY DWELLING UNITS IN A PROJECT KNOWN AS THE ABIGAIL, PURSUANT TO THE PROVISIONS OF THE STATE HOUSING DEVELOPMENT AUTHORITY ACT OF 1966, AS AMENDED.

THE CITY OF LANSING ORDAINS:

Section 1. That Chapter 884 of the Code of Ordinances of the City of Lansing, Michigan be amended to add a new section 884.11 to read as follows:

884.11 THE ABIGAIL

(A) PURPOSE. IT IS ACKNOWLEDGED THAT IT IS A PROPER PUBLIC PURPOSE OF THE STATE AND ITS POLITICAL SUBDIVISIONS TO PROVIDE HOUSING FOR ITS RESIDENTS OF LOW AND MODERATE INCOME AND TO ENCOURAGE THE DEVELOPMENT OF SUCH HOUSING BY PROVIDING FOR A SERVICE CHARGE IN LIEU OF PROPERTY TAXES IN ACCORDANCE WITH THE STATE HOUSING DEVELOPMENT AUTHORITY ACT OF 1966, BEING PUBLIC ACT 346 OF 1966, AS AMENDED [MCL 125.1401, ET SEQ]. THE CITY IS AUTHORIZED BY SUCH ACT TO ESTABLISH OR CHANGE THE SERVICE CHARGE TO BE PAID IN LIEU OF TAXES BY ANY OR ALL CLASSES OF HOUSING EXEMPT FROM TAXATION UNDER SUCH ACT AT ANY AMOUNT IT CHOOSES, NOT TO EXCEED THE TAXES THAT WOULD BE PAID BUT FOR THIS ACT. IT IS FURTHER ACKNOWLEDGED THAT SUCH HOUSING FOR ELDERLY PERSONS OF LOW AND MODERATE INCOME IS A PUBLIC NECESSITY, AND AS THE CITY WILL BE BENEFITED AND IMPROVED BY SUCH HOUSING, THE ENCOURAGEMENT OF THE SAME BY PROVIDING CERTAIN REAL ESTATE TAX EXEMPTION FOR SUCH HOUSINGS IS A VALID PUBLIC PURPOSE.

(B) DEFINITIONS.

1. "ACT" MEANS THE STATE HOUSING DEVELOPMENT AUTHORITY ACT, BEING PUBLIC ACT 346 OF 1966, AS AMENDED.

2. "ANNUAL SHELTER RENTS" MEANS THE TOTAL COLLECTIONS DURING AN AGREED ANNUAL PERIOD FROM ALL ELDERLY PERSONS OF LOW OR MODERATE INCOME, OCCUPYING THE HOUSING DEVELOPMENT REPRESENTING RENTS FOR OCCUPANCY, WHICH RENTAL AMOUNTS SHALL BE EXCLUSIVE OF CHARGES FOR GAS, ELECTRICITY, HEAT OR OTHER UTILITIES FURNISHED TO THE OCCUPANTS.
 3. "AUTHORITY" MEANS THE MICHIGAN STATE HOUSING DEVELOPMENT AUTHORITY.
 4. "CONTRACT RENTS" ARE AS DEFINED BY THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT IN REGULATIONS PROMULGATED PURSUANT TO SECTION 8 OF THE U.S. HOUSING ACT OF 1937, AS AMENDED BY THE HOUSING AND COMMUNITY DEVELOPMENT ACT OF 1974.
 5. "ELDERLY PERSONS" MEANS A SINGLE PERSON WHO IS FIFTY-FIVE (55) YEARS OF AGE OR OLDER OR A HOUSEHOLD IN WHICH AT LEAST ONE MEMBER IS 55 YEARS OLD OR OLDER.
 6. "HOUSING DEVELOPMENT" OR "DEVELOPMENT" MEANS A DEVELOPMENT WHICH CONTAINS A SIGNIFICANT ELEMENT OF HOUSING FOR ELDERLY PERSONS OF LOW AND MODERATE INCOME AND SUCH ELEMENTS OF OTHER HOUSING, COMMERCIAL, RECREATIONAL, INDUSTRIAL, COMMUNAL AND EDUCATIONAL FACILITIES AS THE AUTHORITY MAY DETERMINE WILL IMPROVE THE QUALITY OF THE DEVELOPMENT AS IT RELATES TO HOUSING FOR PERSONS OF LOW AND MODERATE INCOME. FOR THE PURPOSE OF THIS SECTION, THE NAME OF THIS DEVELOPMENT IS THE ABIGAIL, AND IT CONSISTS OF FORTY-FOUR (44) UNITS OF RENTAL HOUSING LOCATED WITHIN LANSING AT 715 W. WILLOW (PPN 33-01-01-08-427-031).
 7. "HUD" MEANS THE DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT OF THE UNITED STATES GOVERNMENT.
 8. "LOW INCOME HOUSING TAX CREDIT PROGRAM" MEANS THE PROGRAM ESTABLISHED BY SECTION 42 OF THE UNITED STATES INTERNAL REVENUE CODE.
 9. "LOW OR MODERATE INCOME" MEANS LOW OR MODERATE INCOME ELIGIBILITY UNDER THE AUTHORITY ACT OR RULES.
 10. "MORTGAGE LOAN" MEANS A LOAN TO BE MADE BY A PRIVATE ENTITY, OR INSURED BY HUD, OR A LOAN FROM THE AUTHORITY, FOR THE FINANCING OF THE PURCHASE AND CONSTRUCTION OF THE HOUSING DEVELOPMENT.
 11. "SPONSOR" MEANS A PERSON OR OTHER ENTITY WITH A HOUSING DEVELOPMENT WHICH IS FINANCED OR ASSISTED PURSUANT TO THE ACT. FOR PURPOSES OF THIS SECTION, THE SPONSOR OF THE ABIGAIL LIMITED DIVIDEND HOUSING ASSOCIATION LIMITED PARTNERSHIP OR ITS SUCCESSORS OR ASSIGNS.
 12. "UTILITIES" MEANS FUEL, WATER, SANITARY SEWER AND/OR ELECTRICAL SERVICE, WHICH IS PAID FOR BY THE HOUSING DEVELOPMENT.
- (C) ESTABLISHMENT OF ANNUAL SERVICE CHARGE.
1. THE CITY ACKNOWLEDGES THAT THE SPONSOR AND THE AUTHORITY HAVE ESTABLISHED THE ECONOMIC FEASIBILITY OF THE ABIGAIL HOUSING DEVELOPMENT IN RELIANCE UPON THE ENACTMENT AND CONTINUING EFFECT OF THIS SECTION AND UPON THE QUALIFICATION OF THE FORTY-FOUR (44) UNITS OF ELDERLY HOUSING IN THE HOUSING DEVELOPMENT FOR EXEMPTION FROM ALL

2. PROPERTY TAXES AS ESTABLISHED IN THIS SECTION. IN LIEU OF ALL SAID PROPERTY TAXES ON THE FORTY-FOUR (44) UNITS IN THE ELDERLY HOUSING DEVELOPMENT, THE SPONSOR SHALL PAY, AND THE CITY WILL ACCEPT, AN ANNUAL SERVICE CHARGE FOR PUBLIC SERVICES, IN THE SUM EQUAL TO:

- i. FOUR PERCENT (4%) OF THE DIFFERENCE BETWEEN NINETY-FIVE PERCENT (95%) OF CONTRACT RENTS ACTUALLY COLLECTED AND UTILITIES IF AND WHEN THE HOUSING DEVELOPMENT BENEFITS FROM A SECTION 8 CONTRACT; OR
- ii. IF A SECTION 8 CONTRACT IS NOT IN EFFECT FOR THE HOUSING DEVELOPMENT, TEN PERCENT (10%) OF THE DIFFERENCE BETWEEN THE ANNUAL SHELTER RENTS ACTUALLY COLLECTED AND UTILITIES.

3. THE EXEMPTION PROVIDED UNDER THIS ORDINANCE SHALL COMMENCE WHEN THE SPONSOR COMPLIES WITH SECTION 5(A)(1) OF 1966 PA 346, AS AMENDED, CODIFIED AT MCL 125.415(A)(1), WHICH PROVIDES: THE OWNER OF A HOUSING PROJECT ELIGIBLE FOR THE EXEMPTION SHALL FILE WITH THE LOCAL ASSESSING OFFICER (THE CITY ASSESSOR) A NOTIFICATION OF THE EXEMPTION, WHICH SHALL BE IN AN AFFIDAVIT FORM AS PROVIDED BY THE AUTHORITY. THE COMPLETED AFFIDAVIT FORM FIRST SHALL BE SUBMITTED TO THE AUTHORITY FOR CERTIFICATION BY THE AUTHORITY THAT THE PROJECT IS ELIGIBLE FOR THE EXEMPTION. THE OWNER THEN SHALL FILE THE CERTIFIED NOTIFICATION OF THE EXEMPTION WITH THE LOCAL ASSESSING OFFICER BEFORE NOVEMBER 1 OF THE YEAR PRECEDING THE TAX YEAR IN WHICH THE EXEMPTION IS TO BEGIN.

4. IN ADDITION TO THE CERTIFICATION REQUIRED PURSUANT TO PARAGRAPH 4 OF THIS SUBSECTION (C), THE SPONSOR SHALL PROVIDE FOR THE HOUSING DEVELOPMENT ANNUALLY IN WRITING TO THE CITY ASSESSOR FOR THE PRECEDING YEAR IN WHICH THE PROPERTY TAX EXEMPTION WAS IN EFFECT:

- i. THE ANNUAL AUDITED ACCOUNTING REPORT FOR THE PAYMENT IN LIEU OF TAXES; AND
- ii. A CERTIFIED STATEMENT IDENTIFYING ALL THE UNITS RENTED TO ELDERLY PERSONS OF LOW OF MODERATE INCOME; AND
- iii. IF REQUESTED BY THE CITY, PROOF THAT THE HOUSING DEVELOPMENT UNITS HAVE NOT INCREASED, DECREASED, OR BEEN ALTERED IN ANY FORM, UNLESS THE CITY HAS OTHERWISE AMENDED THE PROVISIONS OF THIS SECTION.

(D) LIMITATION ON THE PAYMENT OF THE ANNUAL SERVICE CHARGE. NOTWITHSTANDING SUBSECTION (C), THE SERVICE CHARGE TO BE PAID EACH YEAR IN LIEU OF TAXES FOR THE PART OF THE HOUSING DEVELOPMENT PROJECT THAT IS TAX EXEMPT AND OCCUPIED BY OTHER THAN LOW OR MODERATE INCOME ELDERLY PERSONS SHALL BE EQUAL TO THE FULL AMOUNT OF THE TAXES THAT WOULD OTHERWISE BE DUE AND PAYABLE ON THAT PORTION OF THE HOUSING DEVELOPMENT PROJECT IF THE PROJECT WERE NOT TAX EXEMPT.

(E) PAYMENT OF ANNUAL SERVICE CHARGE. THE SERVICE CHARGE IN LIEU OF TAXES, AS ESTABLISHED UNDER THIS SECTION, SHALL BE PAYABLE IN THE SAME MANNER AS GENERAL PROPERTY TAXES ARE PAYABLE TO THE CITY, EXCEPT THAT THE ANNUAL PAYMENT SHALL BE MADE ON OR

BEFORE JULY 1 OF THE YEAR FOLLOWING THE YEAR UPON WHICH SUCH CHARGE IS CALCULATED.

(F) CONTRACTUAL EFFECT. NOTWITHSTANDING THE PROVISIONS OF SECTION 15(A)(5) OF THE ACT TO THE CONTRARY, A CONTRACT BETWEEN THE CITY AND THE SPONSOR WITH THE AUTHORITY AS THIRD PARTY BENEFICIARY UNDER THE CONTRACT, TO PROVIDE TAX EXEMPTION AND ACCEPT PAYMENT IN LIEU OF TAXES AS PREVIOUSLY DESCRIBED, IS EFFECTUATED BY THE ENACTMENT OF THIS ORDINANCE.

(G) DURATION. THIS ORDINANCE SHALL REMAIN IN EFFECT AND SHALL NOT TERMINATE FOR 20 YEARS, COMMENCING WITH AND INCLUDING TAX YEAR 2007, PROVIDED THAT THE SPONSOR COMPLIES WITH THE REQUIREMENTS OF THE ACT AND THIS ORDINANCE, AND FURTHER PROVIDED THAT THE HOUSING DEVELOPMENT CONTINUES TO BE ASSISTED BY SECTION 8 OF THE U.S. HOUSING DEVELOPMENT ACT OF 1937, AS AMENDED BY THE HOUSING AND COMMUNITY DEVELOPMENT ACT OF 1974, AS THE SAME MAY BE FURTHER AMENDED OR SUPERSEDED, OR THERE IS AN AUTHORITY-AIDED OR FEDERALLY-AIDED MORTGAGE ON THE HOUSING DEVELOPMENT AS PROVIDED IN THE ACT, OR THE AUTHORITY OR HUD HAS AN INTEREST IN THE PROPERTY; BUT IN NO EVENT BEYOND DECEMBER 31, 2027. FURTHERMORE, SO LONG AS THE HOUSING DEVELOPMENT IS FINANCED BY A FEDERALLY INSURED MORTGAGE AND AFTER THE END OF THE SECTION 8 CONTRACT, AS IT MAY BE REPLACED OR EXTENDED, OCCUPANCY IS RESTRICTED TO ELDERLY PERSONS WHOSE INCOMES DO NOT EXCEED 60% OF AREA MEDIAN INCOME AND RENTS ARE RESTRICTED AS PROVIDED FOR PERSONS AT 60% OF AREA MEDIAN INCOME, ALL AS DETERMINED UNDER THE LOW INCOME HOUSING TAX CREDIT PROGRAM, THE DEVELOPMENT SHALL BE DEEMED TO BE FINANCED BY A FEDERALLY-AIDED MORTGAGE. IF THE SPONSOR CHANGES THE SCOPE OR PURPOSE OF THE FORTY-FOUR (44) UNITS OF ELDERLY HOUSING WITHIN THE DEVELOPMENT WITHOUT THE CONSENT OF THE CITY OF LANSING, BY AND THROUGH ITS REPRESENTATIVES, AND IN ACCORDANCE WITH THE REQUIREMENTS OF THE LANSING CITY CHARTER, THIS SECTION SHALL AUTOMATICALLY EXPIRE AND BE OF NO EFFECT.

Section 2. All ordinances, resolutions or rules, parts of ordinances, resolutions or rules inconsistent with the provisions hereof are hereby repealed as they pertain to the Abigail housing development

Section 3. Should any section, clause or phrase of this ordinance be declared to be invalid, the same shall not affect the validity of the ordinance as a whole, or any part thereof other than the part so declared to be valid.

Section 4. This ordinance shall take effect on the 30th day after enactment unless given immediate effect by the City Council.

This Ordinance was given immediate effect by motion of Councilmember Jeffries

CHRIS SWOPE, LANSING CITY CLERK

REPORTS FROM CITY OFFICERS, BOARDS, AND COMMISSIONS; COMMUNICATIONS AND PETITIONS; AND OTHER CITY RELATED MATTERS

By Councilmember Jeffries that all items be considered as being read in full and that President Leeman make the appropriate referrals

Motion Carried

• Reports from City Officers, Board and Commissions:

- a. Letter from the City Clerk submitting minutes of Boards and Authorities placed on file in the City Clerk's Office

RECEIVED AND PLACED ON FILE

- b. Letter from the City Clerk submitting applications for licenses to Sell or Offer to Sell Retail Fireworks filed by:

- B.J. Alan on behalf of K-Mart #4382 located at 5400 S. Cedar St.
- Janet Stajos of American Eagle Superstore located at 901 N. Larch
- Charles Walker of TNT Fireworks on behalf of the following store locations:

Aldi's #1519, 6555 S. Pennsylvania Ave
 Kroger #852, 443 Mall Court
 Menards #3158, 725 American Road
 Target #361, 500 E. Edgewood Blvd
 Sam's Club #8137, 340 E. Edgewood Blvd
 Kroger #884, 921 W. Holmes St
 L&L Foodstore/Daily Deals #277, 3630 S. Cedar St
 L&L Food Center #279, 1615 W. Mt. Hope
 L&L Food Center #275, 5016 S. MLK Jr. Blvd
 Meijer #24, 6200 S. Pennsylvania

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

- c. Letter from the City Clerk submitting an application for a permit/license requesting to drop McNeil's Market, Inc. as co-licensee; Add RYJT, LTD as co-licensee, on Escrowed 2006 Class C Licensed Business, located at 1600 Ormond, Lansing, Michigan, 48906, Ingham County

REFERRED TO THE COMMITTEE OF THE WHOLE

- d. Letters from the Mayor re:

- i. FY 2007 3rd Quarter General Fund Status Report

REFERRED TO THE COMMITTEE ON WAYS AND MEANS AND THE INTERNAL AUDITOR

- ii. Request for a Waiver of the Provisions of the Noise Ordinance contained in Chapter 654 of the Code of Ordinances for E.T. MacKenzie to allow occasional work on Saturdays from 8:00 A.M. to 1:00 P.M. in the CSO 020 Area to keep the project on schedule and request for a Public Hearing

RECEIVED AND PLACED ON FILE

- iii. Application for an Obsolete Property Rehabilitation Act (OPRA) Certificate filed by PresVan, LLC for property located at 1820 Sunset Ave. and 2025 Melvin Ct

REFERRED TO PLANNING AND NEIGHBORHOOD DEVELOPMENT AND REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

- iv. List of Appointments and Reappointments to various City boards and commissions
- Kara Wood to the Historic District Commission for an At Large position, term ending June 30, 2010
 - Maria Enriquez to the Memorial Review Board

for an At Large position, term ending June 30, 2011

- Dale Copedge to the Public Service Board for a 3rd Ward position, term ending June 30, 2011
- Bradley Williams to the Planning Board for a 4th Ward position, term ending June 30, 2008
- Emmett Kelly to the Board of Plumbing for a Master Plumber position, term ending June 30, 2011
- Clyde Carnegie to the Board of Police Commissioners for a 4th Ward position, term ending June 30, 2008
- Patty Farhat-Reed to the Board of Police Commissioners for an At Large position, term ending June 30, 2010
- Rowland Cornish to the Electric Board for an Electrical Contractor position, term ending June 30, 2009
- Walter G. Smiley to the Electric Board for a Journeyman position, term ending June 30, 2011
- Justin Draeger to the Historic District Commission for an At Large position, term ending June 30, 2009
- Audrey Savage to the Historic District Commission for an At Large position, term ending June 30, 2009
- Mary Toshach to the Historic District Commission for an At Large position, term ending June 30, 2008
- Ida White to the Telecommunications and Cable Advisory Board for an At Large position, term ending June 30, 2009

SUSPENSION ITEM-REFERRED TO THE CITY COUNCIL STAFF

• Communications and Petitions, and Other City Related Matters:

- a. Letter from the State of Michigan Department of Treasury providing notice of the issuance of an Amended Obsolete Property Rehabilitation Exemption Certificate for property located at 208 N. Capitol Avenue

REFERRED TO PLANNING AND NEIGHBORHOOD DEVELOPMENT AND REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

- b. Public Notice from the State of Michigan Department of Environmental Quality Land and Water Management Division of the City of Lansing's application for a Permit to construct a 1,950-foot long pedestrian path along Sycamore Creek

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES AND REFERRED TO THE PUBLIC SERVICE DEPARTMENT

- c. Letter from the State of Michigan Liquor Control Commission Department of Labor & Economic Growth reaffirming the denial of a request for a new SDM licensed business located at 2417 E. Kalamazoo St.

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

- d. Request for recognition of non-profit status filed by Rick Brown of HistoryBuff.com located at 6031 Winterset Dr.

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

- e. Letter from Comcast Cable regarding their contributions to economic growth

ADJOURNED TIME 9:37 P.M.

RECEIVED AND PLACED ON FILE

- f. Letter from Patrick J. Avendt of 409 N. Foster Ave. stating concerns with the discontinuance of plastic containers for yard waste

CHRIS SWOPE, CITY CLERK

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES AND
REFERRED TO THE PUBLIC SERVICE DEPARTMENT

- g. Letter from Denise Kelley, President of the Association for the Bingham Community, stating traffic concerns due to Construction

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY AND
REFERRED TO THE COMMITTEE ON PUBLIC SERVICES AND
REFERRED TO THE TRANSPORTATION DEPARTMENT

- h. Letter of appreciation from Max Bauer of 510 Kedzie St. to the City Council

RECEIVED AND PLACED ON FILE

REMARKS BY COUNCILMEMBERS

Councilmember Wood stated that she gave Mayor Bernero an email last week from a resident who lives on Pierce Street regarding sewer problems and no one has been in contact with them and requested Jerry Ambrose, Executive Assistant to Mayor Bernero, to please contact them as soon as possible.

Councilmember Matt thanked the Council and the City Council staff for making him feel welcome. He said that he will be meeting with Department Heads next week to tour each department. He stated that he will do his best to serve the 3rd Ward residents.

President Leeman asked Mr. Ambrose if he could work with the Parks Director on the Walsh Park issue that was mentioned tonight by a speaker.

Vice President Jeffries stated that he knows that tonight will not be Deputy Griffins last Council meeting and that she will be back here before June 15.

Councilmember Quinney welcomed Councilmember Matt to the City Council.

Councilmember Dunbar welcomed Councilmember Matt to the City Council.

Councilmember Allen also welcomed Councilmember Matt to the City Council.

President Leeman congratulated all Councilmembers for a job well done during last week's hectic schedule of budget hearings and the 3rd Ward Council seat interviews.

REMARKS BY THE MAYOR OR EXECUTIVE ASSISTANT

Jerry Ambrose, Executive Assistant to Mayor Bernero, stated that he talked with Chad Gamble, Director of Public Service this morning about the Pierce Road issue and Chad is supposed to be in contact with the residents today. He thanked Council for their support on the BoarsHead Theater resolution as well as the Abigail Ordinance. He spoke about the City's heavy construction schedule.



**OFFICIAL PROCEEDINGS OF
THE CITY COUNCIL
CITY OF LANSING
PROCEEDINGS OF MAY 14, 2007**

City Council Chambers
Lansing, Michigan

The City Council of the City of Lansing met in regular session and was called to order at 7:00 p.m. by President Leeman.

PRESENT: Councilmembers Allen, Dunbar, Jeffries, Kaltenbach, Leeman, Matt, Quinney, Wood

ABSENT: None

The Council observed a moment of Meditation followed by the Pledge of Allegiance led by President Leeman

CONSIDERATION OF LATE ITEMS

By Vice President Jeffries

To suspend City Council Rule #11 to allow for Consideration of Late Items

Motion carried

The following items were added to the agenda:

1. From Councilmember Jeffries; Letter from the Mayor re: Ballot Proposal to Authorize Sale or Disposition of City-Owned Property within 25 feet of the Grand River-South Grand Parking Ramp

TABLED ITEMS

SPECIAL CEREMONIES

• Special Ceremonies

1. Presentation; AT&T to the Boys and Girls Club of Lansing

Mayor Bernero welcomed Regina Bell from A T & T and Carmen Turner from the Boys and Girls Club of Lansing and thanked them for everything that they do for Lansing youth.

Carmen Turner stated that A T & T has been a proud and longstanding supporter of the Boys and Girls Club as well as many other groups in the City. She stated that the Boys and Girls Club is located on the South side of Lansing and many activities are planned so that kids have something to do after school and on weekends. She thanked everyone for their support.

Mayor Bernero thanked Carmen for doing a great job and for all of the hard work that she has done to make this community better.

Regina Bell of A T & T thanked Mayor Bernero, the City Council and the public and stated that it was an honor to present a check to the Boys and Girls Club for all the work they do in the Community.

2. Presentation; Sponsors of the 2007 Diversity Celebration

Mayor Bernero stated that the diversity celebration was born out of

necessity but will continue due to demand and is scheduled for Saturday from 1:00 p.m. – 4:30 p.m. at Eastern High School's Don Johnson Fieldhouse. He thanked Joe McDonald and Rishan Butler for all of their hard work. He presented plaques to everyone who helped put this event together.

President Leeman thanked everyone for their hard work on putting this event together.

Councilmember Wood presented Linda Sims with the Governor's Service Award on behalf of Senator Whitmer.

Mayor Bernero congratulated Linda Sims on her receipt of the 2007 Governor's Service Award.

3. Tribute; 25th Anniversary of the Greater Lansing Chapter of Jack and Jill of America, Inc.

Councilmember Quinney announced that we are celebrating Jack and Jill of America, Inc.'s 25th Anniversary in Lansing.

Clerk Swope read the following resolution:

RESOLUTION#165

BY COUNCILMEMBER DERRICK QUINNEY
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Jack & Jill of America, Inc. was founded January 24, 1938 in Philadelphia, Pennsylvania from a meeting of 20 mothers by the leadership of Marion Stubbs Thomas with the idea of bringing together children in a social and cultural environment; and

WHEREAS, in 1978, a group of six mothers from Lansing, East Lansing, and Okemos met to discuss the unique challenges that confront African American children in terms of their residence and schooling in a predominantly white social milieu; and

WHEREAS, Sharon Cardwell, Harriett Gillum, Carrie B. Jackson, Sarah Vern King, Patricia Little, and Jamille Webster decided to first reach out to other families residing in the Greater Lansing Area who felt similarly, and they began to collectively provide their children with varied experiences related to their Black Heritage; and

WHEREAS, this newly created network of friends eventually included over twenty families who affectionately called themselves "Our Group"; and

WHEREAS, in January 1980, the Regional Office of Jack and Jill of America Incorporated contacted "Our Group" to explore the mutual benefits of affiliation. On March 12, 1983, the Lansing Chapter of Jack and Jill of America, Inc. was chartered by the National Office; and

WHEREAS, the goals of Jack & Jill of America serve as constant guides "to create a medium of contact for children which will stimulate their growth and development, to provide constructive educational, cultural, civic, recreational, social and service programs for children, to aid mothers in learning more about their children and childcare through educational conferences and workshops, to seek for all children the same advantages we desire for our own, to support all national legislation at bettering conditions for all children, develop and disseminate childcare and child development educational material"; and

WHEREAS, each year, chapter programming activities are guided under a national theme in adherence to fulfillment of the organizational goals. Individual chapters embrace a plan of action geared toward a united commitment to address and help alleviate disturbing community problems that affect children; and

WHEREAS, the Greater Lansing Chapter was honored with the responsibility of hosting the 34th and 49th Mid-Western Regional Teen Conference in June 1998 and 2003; and

WHEREAS, through national incentives such as the Million Point Health Plan and through collaborative work with organizations like the Links and Children's Defense Foundation, Jack & Jill Chapters across the nation are making a difference in the lives of their families; and

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, wish to congratulate the Greater Lansing Chapter of Jack & Jill of America on their 25th Anniversary and extend its deep appreciation for their dedication to providing a community based support system aimed at giving our youth the tools necessary to grow and succeed. We wish you continued success!

By Councilmember Quinney

Motion Carried

Felicia Wasson thanked Mayor Bernero and the City Council for this honor. She stated that Jack and Jill is a National Organization and seeks for all children to have every possible advantage in life.

Mayor Bernero thanked the organization for all that they have done over the last 25 years to help the community.

COUNCILMEMBERS' COMMENTS AND CITY CLERK'S ANNOUNCEMENTS:

Councilmember Dunbar announced that on June 3 the South Lansing Community Development Association will be hosting the first ever triathlon in the City, which is a swim, bike, and run event held at Hawk Island Park. She also alerted the residents in the Forest View area that there will be lane closures on Aurelius and Forest Road for this event.

Councilmember Wood announced that the Black Child Family Institute will be having a new summer interest enhancement program. She stated that the cost is \$35.00 for each camp and anyone can sponsor a child. She also announced that an event called Paint-A-Place will take place on Saturday at 8:00 a.m. at 818 N. Hayford and for more information call Nancy Parson Mahlow at 372-3249.

Councilmember Matt announced that the Churchill Downs Neighborhood Association will be meeting on Tuesday at Wainwright School at 6:30 p.m. He also announced that the Colonial Village Neighborhood Association will be meeting at Grace United Church on Wednesday at 7:00 p.m. and the Lewton/Rich Neighborhood Association will be meeting at Dwight Rich School on Thursday at 7:00 p.m.

City Clerk Swope announced that May 15 at 4:00 p.m. is the filing deadline to run for a City Office in the August Primary. He introduced Kevin Reeves as the next Chief Deputy City Clerk upon the retirement of Denise Griffin.

SPEAKER REGISTRATION FOR PUBLIC COMMENT

(Clerk Swope announced that the public comment registration form(s) for those intending to address Council on legislative or City government matters will be collected and that only those persons who have fully completed the form(s) will be permitted to speak.)

MAYOR'S COMMENTS

Mayor Bernero spoke about the revitalization of the Lansing Community. He spoke about the Smart Commute festival that took place on the plaza of City Hall. He spoke about Lansing moving forward in the area of technology. He spoke about the Saturday in the Park event that took place this past Saturday. He also spoke about the proposed budget.

SHOW CAUSE HEARINGS

- Comment on Scheduled Show Cause Hearings:

There were no scheduled Show Cause Hearings

PUBLIC COMMENT ON LEGISLATIVE MATTERS

- Public Comment on Legislative Matters:

Legislative Matters included the following public hearings:

1. In consideration of the City of Lansing Annual Budget, Tax Rate and Truth In Taxation
2. In consideration of an Obsolete Property Rehabilitation Act (OPR Certificate for 2nd Wave, LLC, for property located at 319 E. Grand River
3. In consideration of Z-1-2007; 3811 Aurelius Road, Petition for Rezoning from "A" Residential to "C" Residential District filed by Robert Ford to allow existing building to be converted into a duplex

Vice President Jeffries gave a brief overview of all 3 Public Hearings.

Councilmember Kaltenbach commented that in the future, he believes the Council should have their amendments to the Mayor's Proposed Budget completed prior to the Public Hearing on the Budget.

Carl Calille of 306 Harriett spoke about concerns that he has with the proposed budget.

Stan Shuck of 818 Cooper spoke about comments that were made by departments during the budget hearings. He spoke about concerns he has with some of the parks and mowing.

John Pollard of 1718 Blair spoke in opposition to the OPRA request. He spoke in support of the rezoning request. He voiced concerns that he has with the proposed budget.

Darnell E. Oldham Sr of 3815 Berwick Dr spoke about concerns that he has with the increase in fees proposed in the budget.

PUBLIC COMMENT ON CITY GOVERNMENT RELATED MATTERS:

Bryan Epling of 419 S. Washington spoke about concerns that he has with the budget.

Stan Shuck of 818 Cooper spoke about various city matters.

Bob Gray of 422 Dadson spoke about various city matters.

Justin Banks of 1820 Guenther spoke about the Riverwalk Theater.

Loretta Stanaway of 546 Armstrong spoke about concerns that she has with the condition of some of the cemeteries in the City.

Virginia Humble of 604 E. Fredrick spoke about problems that she is having with a business in her neighborhood.

Jim Humble of 604 E. Fredrick spoke about a business in his neighborhood that is allegedly causing problems.

John Pollard of 1718 Blair spoke about various city matters. He indicated that he has offered to save the City 3 to 4 million dollars if the City paid him \$25,000 to \$50,000.

Darnell E. Oldham Sr. of 3815 Berwick Dr spoke about various city matters.

Ronald Kruger of 3333 Moores River Dr. spoke about various concerns that he has with the City.

Byron Hasking of 1709 Moores River Dr. spoke about various concerns that he has with the City.

Dr. Willie Davis of 1136 Shepard spoke about various city matters.

Russell Terry of 121 E. Mt. Hope asked to be reimbursed for a recycling fee.

Manuela Kress of 1712 E. Michigan Ave. spoke about various city matters.

Frank S. Curtis X of 1137 West Allegan spoke about various concerns that he has with the City.

LEGISLATIVE MATTERS

REFERRAL OF PUBLIC HEARINGS

1. In consideration of the City of Lansing Annual Budget, Tax Rate and Truth In Taxation

REFERRED TO THE COMMITTEE OF THE WHOLE AND REFERRED TO BUDGET

2. In consideration of an Obsolete Property Rehabilitation Act (OPRA) Certificate for 2nd Wave, LLC, for property located at 319 E. Grand River

REFERRED TO PLANNING AND NEIGHBORHOOD DEVELOPMENT

3. In consideration of Z-1-2007; 3811 Aurelius Road, Petition for Rezoning from "A" Residential to "C" Residential District filed by Robert Ford to allow existing building to be converted into a duplex

REFERRED TO PLANNING AND NEIGHBORHOOD DEVELOPMENT

RESOLUTIONS

RESOLUTION#166

BY THE COUNCILMEMBER SANDY ALLEN
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Lansing Code Compliance Officer has declared a certain structure (dwelling) at **1721 Mary Avenue Parcel # 3301.01.32.177.071 and Legal Description: Lot 28 Exc E ½ Supervisors Plat No 5** to be an unsafe and dangerous building and requested the property owner be ordered to demolish or otherwise make safe the structure; and

WHEREAS, The Code Compliance Officer red tagged the said structure on **October 20, 2004**, and requested the property owner be ordered to demolish or otherwise make safe the structure; and

WHEREAS, on **September 28, 2006**, the Lansing Demolition Board held a special meeting to consider and make a recommendation on whether to declare the structure a dangerous building, as defined in the Housing Law of Michigan (MCLA 125.539) and the Lansing Housing and Premises Code (1460.09) to order the property owner to make safe or demolish the structure; and

WHEREAS, the Code Compliance Office has determined that compliance with the order of the Lansing Demolition Hearing Board officer has not occurred; and

WHEREAS, the Housing Law of Michigan and the Housing and Premises Code require that a hearing be conducted to give the property owner an opportunity to show cause why a dangerous structure should not be demolished or otherwise made safe; and

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council hereby schedules a show cause hearing for **Monday, May 21, 2007, at 7:00 p.m.** in the Lansing City Council Chambers, 10th Floor City Hall, 124 W. Michigan, Lansing, Michigan in consideration of the finding and order of the Lansing Demolition Hearing Board Officer regarding the structure at **1721 Mary Avenue**; to give the owner, or the owner's agent, the opportunity to appear and show cause why the building should not be demolished or otherwise made safe; and to approve, disapprove, or modify the order of the hearing officer to demolish or make safe the subject structure.

BE IT FINALLY RESOLVED that the Lansing City Council requests that the Manager of Code Compliance notify the owner of said property of the opportunity to appear and present testimony at the hearing, as required by law.

By Councilmember Allen

Motion Carried

RESOLUTION#167

BY THE COUNCILMEMBER SANDY ALLEN
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Lansing Code Compliance Officer has declared a certain structure (dwelling) at **3407 Churchill Parcel # 3301.01.31.127.011 and Legal Description: Lot 404 Churchill Downs No 2 Sub** to be an unsafe and dangerous building and requested the property owner be ordered to demolish or otherwise make safe the structure; and

WHEREAS, The Code Compliance Officer red tagged the said structure on **August 31, 2005**, and requested the property owner be ordered to demolish or otherwise make safe the structure; and

WHEREAS, on **September 28, 2006**, the Lansing Demolition Board held a special meeting to consider and make a recommendation on whether to declare the structure a dangerous building, as defined in the Housing Law of Michigan (MCLA 125.539) and the Lansing Housing and Premises Code (1460.09) to order the property owner to make safe or demolish the structure; and

WHEREAS, the Code Compliance Office has determined that compliance with the order of the Lansing Demolition Hearing Board officer has not occurred; and

WHEREAS, the Housing Law of Michigan and the Housing and Premises Code require that a hearing be conducted to give the property owner an opportunity to show cause why a dangerous structure should not be demolished or otherwise made safe; and

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council hereby schedules a show cause hearing for **Monday, May 21, 2007, at 7:00 p.m.** in the Lansing City Council Chambers, 10th Floor City Hall, 124 W. Michigan, Lansing, Michigan in consideration of the finding and order of the Lansing Demolition Hearing Board Officer regarding the structure at **3407 Churchill**; to give the owner, or the owner's agent, the opportunity to appear and show cause why the building should not be demolished or otherwise made safe; and to approve, disapprove, or modify the order of the hearing officer to demolish or make safe the subject structure.

BE IT FINALLY RESOLVED that the Lansing City Council requests that the Manager of Code Compliance notify the owner of said property of the opportunity to appear and present testimony at the hearing, as required by law.

By Councilmember Allen

Motion Carried

RESOLUTION#168

BY THE DEVELOPMENT AND PLANNING COMMITTEE
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING
1820 Sunset / 2025 Melvin Ct – Former Trumark Building

WHEREAS, PresVan, LLC, owner of the property located at 1820 Sunset and 2025 Melvin Court in the City of Lansing, Michigan (the Property) has applied to the City of Lansing for the City to approve the issuance of an Obsolete Property Rehabilitation Exemption Certificate (the "OPT Certificate"), pursuant to the Michigan Obsolete Property Rehabilitation Act, being Public Act 146 of 2000 (the Act); and

WHEREAS, the property in question of the Certificate is legally described as: COM 110 FT E OF NW COR LOT 37, TH N 199.58 FT, E 202.82 FT, S 199.58 FT, W 202.82 FT TO BEG; ALSO LOT 37 EXC W 110 FT; ASSESSOR'S PLAT NO 11 and

WHEREAS, an Obsolete Property Rehabilitation District was established by the Lansing City Council on April 23, 2007 in accordance with the act; and

WHEREAS, the Act requires that before granting a Certificate the Lansing City Council hold a public hearing in order to provide an opportunity for the applicant, the City Assessor, a representative of the affected taxing units, the residents, and other taxpayers of the City of Lansing general public appear and be heard regarding the approval of the OPT Certificate.

NOW THEREFORE BE IT RESOLVED that a public hearing be held in the City Council Chambers of the City of Lansing, 10th Floor, Lansing City Hall, Lansing, Michigan, on the 4th day of June, 2007 at 7:00 p.m. for the purpose of receiving public comment on the establishment of an Obsolete Property Rehabilitation Certificate under the provisions of Public Act 146 of 2000 and that the Clerk shall publish once in a publication of general circulation within the community a notice of the scheduled public hearing and that the notice appear not less than 10 or more than 30 days prior to the date of the hearing and that the Clerk also cause the owner of property within the proposed district to receive written notice of the public hearing to be delivered by certified mail.

By Councilmember Jeffries

Motion Carried

RESOLUTION#169

BY THE COMMITTEE ON GENERAL SERVICES
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Michigan Liquor Control Commission received a request from the City of Lansing to drop McNeil's Market, Inc as co-licensee and add RYJT, LTD as co-licensee on Escrowed 2006 Class C Licensed Business located at 1600 Ormond, Lansing; and

WHEREAS, the Committee on General Services met to consider the request on May 3, 2007;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, approves dropping McNeil's Market, Inc as co-licensee and adding RYJT, LTD as co-licensee on Escrowed 2006 Class C Licensed Business located at 1600 Ormond, Lansing.

BE IT FURTHER RESOLVED that the City Clerk is requested to notify the Consumer and Industry Services Department, Liquor Control Commission, 7150 Harris Drive, PO Box 30005, Lansing, Michigan 48909-7505 of City Council's approval of RYJT, LTD as the co-licensee on the 2006 Class C License for the business located at 1600 Ormond, Lansing.

By Councilmember Kaltenbach

Motion Carried

RESOLUTION#170

BY THE COMMITTEE ON WAYS AND MEANS
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, according to the requirements of the Michigan Department of Transportation (MDOT) Local Bridge Program, the City of Lansing, Public Service Department would like to submit funding applications for the year 2007 for the following four structures:

Replacement

1) Aurelius Road over Pawlowski Drain (South)

Rehabilitation

2) Aurelius Road Bridge over Grand Trunk Railroad

Preventive Maintenance

3) Kalamazoo Street Bridge over the Grand River

4) Pennsylvania Avenue Bridge over the Red Cedar River; and

WHEREAS, the total construction for all four structures totals \$1,750,000.00; if successful, the City will receive State funds, MDOT Grant (95% Construction) totaling \$1,662,500.00, the City will Match (05% construction) totaling \$87,500.00, and cover Engineering Costs (25% Construction) totaling \$437,500.00, to total City costs (City's Match + Engineering Costs) in the amount of \$525,000.00;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council approves the submittal of funding applications for the MDOT's Local Bridge Program for the following four structures;

Replacement

1) Aurelius Road over Pawlowski Drain (South)

Rehabilitation

2) Aurelius Road Bridge over Grand Trunk Railroad

Preventive Maintenance

3) Kalamazoo Street Bridge over the Grand River

4) Pennsylvania Avenue Bridge over the Red Cedar River;

BE IT FURTHER RESOLVED that upon notification of the grant being awarded, the Administration shall bring such grant back to the City Council for acceptance.

By Councilmember Wood

Motion Carried

RESOLUTION#171

BY THE COMMITTEE ON WAYS AND MEANS
APPROVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the City of Lansing has applied for a Lead Hazard Reduction Grant; and

WHEREAS, the Lansing City Council reviewed and authorized submission of the grant to HUD; and

WHEREAS, HUD has awarded the City of Lansing \$1,384,886 in grant funds to be used over a three year period to reduce lead hazards in housing and has requested the City of Lansing to sign the grant on February 1, 2007; and

WHEREAS, the HUD required match of \$346,222 will be met by the Planning and Neighborhood Development Office using CDBG funds from its existing budget, which included staff and housing rehabilitation program activities; and

WHEREAS additional match funds from owner contributions toward the direct cost of eliminating lead paint hazards as well as from volunteer activities and in-kind assistance provided through key partners will exceed the required 25% match; and

WHEREAS, the Lead Hazard Reduction Demonstration Grant will provide funds for lead clearance in 120 homes; and

WHEREAS, the elimination of lead hazards in housing occupied by children under the age of six is a priority under the City's Consolidated Strategy and Plan; and

NOW, THEREFORE, BE IT RESOLVED, that the Lansing City Council approves the acceptance of the grant award by HUD for the purpose written above completing the activities funded through the Lead Hazard Reduction Demonstration Grant.

BE IT FURTHER RESOLVED that Virg Bernero, Mayor of the City of Lansing, is authorized to accept the above described award in the amount of \$1,384,886 and the HUD required match of \$346,222, which does not include additional staff time and other project costs that may qualify as match during the course of the grant, and that upon receipt of the grant agreement from HUD, he shall be authorized to sign the contract and to establish new and separate expenditure accounts as required by HUD for this grant.

BE IT FINALLY RESOLVED that the Department of Planning and Neighborhood Development is requested to provide quarterly reports to the Lansing City Council on the process of the Lead Hazard Reduction Program.

By Councilmember Wood

To accept a substitute resolution for the one originally placed in the packet

Motion Carried

By Councilmember Wood

To place an affirmative roll on the substitute resolution

Motion Carried

RESOLUTION#172

BY THE COMMITTEE ON WAYS & MEANS
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

That the following FY 2007 transfers be approved:

City Council

AMOUNT TO TRANSFER	TRANSFER FROM ACCOUNT #	TRANSFER TO ACCOUNT #
\$ 1,141.39	Councilmember Williams 101.112101.741221.0	
\$ 1,141.39		Councilmember Matt 101.112101.741232.0

(To transfer the balance of account from former Councilmember Williams to new Councilmember Matt for Fiscal Year 2007.)

By Councilmember Wood

Motion Carried

REPORTS FROM COUNCIL COMMITTEES

There were no Committee Reports

ORDINANCES FOR INTRODUCTION

There were no Ordinances for Introduction

ORDINANCES FOR PASSAGE

There were no Ordinances for Passage

REPORTS FROM CITY OFFICERS, BOARDS, AND COMMISSIONS; COMMUNICATIONS AND PETITIONS; AND OTHER CITY RELATED MATTERS

By Councilmember Wood that all items be considered as being read in full and that President Leeman make the appropriate referrals

Motion Carried

Reports from City Officers, Board and Commissions:

- a. Letter from the City Clerk on behalf of the Board of Ethics regarding disclosures during the Budget Process

REFERRED TO THE COMMITTEE OF THE WHOLE AND
REFERRED TO BUDGET

- b. Letter from the City Clerk submitting an application for a Peddlers and Transient Merchants License filed by John Kobus to sell miscellaneous items at 3425 S. Martin Luther King Jr. Blvd.

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

- c. Letter from the City Clerk submitting minutes of Boards and Authorities placed on file in the City Clerk's Office

RECEIVED AND PLACED ON FILE

- d. Letter from the City Attorney re: Barbara A. Robinson v City of Lansing

RECEIVED AND PLACED ON FILE

- e. Letters from the Mayor re:

- i. Transfer of Funds; Lead Hazard Reduction Demonstration

RECEIVED AND PLACED ON FILE

- ii. Planning Board Recommendations regarding P- 1-2007; Valencia Blvd., Application for a Preliminary Plat Approval filed by Karie McKrackin to create 10 single family lots on the vacant 2.563 acre parcel of land located at the southwest end of Valencia Blvd.

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

- iii. Street System Asset Management Plan

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES

- iv. Proposed Amendments to Poverty Exemption Ordinance

REFERRED TO THE COMMITTEE ON GENERAL SERVICES AND REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

- v. Ballot Proposal to Authorize Sale or Disposition of City-Owned Property within 25 feet of the Grand River-South Grand Parking Ramp

*SUSPENSION ITEM-REFERRED TO THE COMMITTEE OF THE WHOLE

- Communications and Petitions and Other City Related Matters:
 - a. Request for recognition of non-profit status filed by Jeffrey Croff, Community Relations Administrator of Peckham Community Partnership Foundation located at 2822 N. Martin Luther King Jr. Blvd.

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

- b. Letter from the State of Michigan Department of Treasury providing notice of the Order of Revocation of IFT-1-01/2001-305, Industrial Facilities Tax Exemption Certificate issued to Novations Group, Inc.

REFERRED TO PLANNING AND NEIGHBORHOOD DEVELOPMENT AND REFERRED TO THE ECONOMIC DEVELOPMENT CORPORATION

REMARKS BY COUNCILMEMBERS

President Leeman stated that Committee of the Whole will be meeting regarding the City Budget on Tuesday from 1:00 p.m. to 5:00 p.m., Wednesday from 12:00 p.m. to 4: p.m., Thursday from 1:00 p.m. to 5:00 p.m. and on Friday if necessary from 9:00 a.m. to 4:00 p.m. and that these meetings will be aired live.

Councilmember Dunbar stated that the City Clerk does not have a racist bone in his body and that it has been difficult to sit and listen to what the speakers have been saying the last few weeks. She said that the Polling locations have changed in the past and will change in the future and that everyone was affected by these changes. She stated that she supports Clerk Swope's decision to change polling locations.

Councilmember Quinney stated that he agreed with Councilmember Dunbar. He said that the City Council needs to prevent people from coming down week after week name calling. He stated that he too supports Clerk Swope in making the changes to the polling locations.

President Leeman said that he also supports Clerk Swope's decision to

have the polling locations changed.

**REMARKS BY THE MAYOR
OR EXECUTIVE ASSISTANT**

Jerry Ambrose, Executive Assistant to the Mayor, thanked the City Council for accepting the late item for the ballot proposal. He thanked them for all the time they have put in on the review of the budget. He addressed some comments that were made by speakers this evening. He said Zoo employees can apply at the County for their current jobs and they will be hired. He said that Mayor Bernero's budget did not increase but in fact decreased. He addressed the fee increase concerns that were raised during public comment. He spoke about the need for Public Safety in the budget and that all the jobs that are proposed for elimination are vacant ones and not in the Police or Fire Departments.

Councilmember Wood asked Mr. Ambrose when the City Council can expect to receive materials pertaining to the budget.

Mr. Ambrose stated that most of the information will be given to the City Council on Tuesday.

ADJOURNED TIME 9:20 P.M.

CHRIS SWOPE, CITY CLERK



**OFFICIAL PROCEEDINGS OF
THE CITY COUNCIL
CITY OF LANSING
PROCEEDINGS OF MAY 21, 2007**

City Council Chambers
Lansing, Michigan

The City Council of the City of Lansing met in regular session and was called to order at 7:00 p.m. by President Leeman.

PRESENT: Councilmembers Allen, Dunbar, Jeffries, Kaltenbach, Leeman, Matt, Quinney, Wood

ABSENT: None

The Council observed a moment of Meditation followed by the Pledge of Allegiance led by President Leeman

APPROVAL OF MINUTES

By Councilmember Jeffries

To approve the printed Council Proceedings of May 7, 2007

Motion carried

CONSIDERATION OF LATE ITEMS

By Vice President Jeffries

To suspend City Council Rule #11 to allow for Consideration of Late Items

Motion carried

The following items were added to the agenda:

1. From Councilmember Jeffries; Ballot Proposal to Authorize Sale or Disposition of City Owned Property within 25 feet of the Grand River, South Grand Parking Ramp
2. From Councilmember Kaltenbach; Recognition of non-profit status to the Greater Lansing Association of Realtors located at 3350 N. Grand River Ave.
3. From Councilmember Allen; Letter with pictures from Robert Gray of 422 Dadson Dr. stating concerns with construction barrels, uncut grass, and vacant homes at various locations

TABLED ITEMS

SPECIAL CEREMONIES

• Special Ceremonies

1. Presentation; Bingham Elementary School "Tripple Max" singing "Safe Routes to School Rap & Dance"

Councilmember Wood stated that these students are wonderful kids and gave a certificate to Javarie Crenshaw for his remarkable achievement in reading and for getting invited to the White House.

Mayor Bernero presented Javarie Crenshaw with the Mayor's

Hometown Hero Award for improving his reading.

Marion Barron thanked Mayor Bernero and City Council. She presented Mayor Bernero with the book that created by the performers. She stated that Mayor Bernero will be joining the students of Bingham Elementary School on Wednesday at 7:00 a.m. for the Walk to School Day.

2. Presentation; Mayor's Hometown Hero Award honoring Chris Conner for leading the "Capital City Clean Sweep" Event

Mayor Bernero presented Chris Conner with the Hometown Hero Award for putting together the Capital City Clean Sweep event and thanked Chris for all his hard work in making it a huge success.

President Leeman thanked Chris for all of his hard work.

Chris Conner thanked Mayor Bernero for this honor and stated that it was overwhelming to see the support from the private sector as well as the businesses. He thanked everyone who came out and worked on this cleanup project.

Kevin Green of the Principal Shopping thanked Chris for his work on this project.

3. Presentation; Honoring Cristo Rey Catholic Church's 27th Annual Fiesta

Mayor Bernero stated that the Cristo Rey Fiesta attracts thousands of people every year and that this is the 27th anniversary of the event. He presented Manuel Delgado Jr. with a proclamation.

Manuel Delagdo stated that the fiesta will take place at 201 Miller Rd over the Memorial Day weekend and that it will take place come rain or shine.

4. Presentation; Honoring Neighborhood Pride Week

Mayor Bernero stated that the neighborhoods are the heart of Lansing. He presented a proclamation to the Lansing Neighborhood Council and stated that May 20 – 27 is Neighborhood Pride Week in Lansing.

Bill Houghtaling expressed that he is proud of the Board members and neighborhood citizens. He gave information about events that will take place this week and that anyone wishing to volunteer should call 372-6290.

President Leeman thanked everyone for the work that they have done and do in the neighborhoods.

**COUNCILMEMBERS' COMMENTS
AND CITY CLERK'S ANNOUNCEMENTS:**

Councilmember Dunbar stated that Khalif Mohmed went out on his own and cleaned up the four corners of Kalamazoo and Pennsylvania on the day of the Clean Sweep. She said that he used his own bags and other equipment and cleaned up the area and thanked him for doing a great job. She received a phone call from a resident wanting to thank CATA for putting a bike rack on the shuttle bus so people can get to the North end on their bikes.

Councilmember Allen let everyone know that the Diversity Celebration this past Saturday at Eastern High School was a huge success. She announced that the Old Everett Neighborhood Association planted flowers on Sunday in the planters on Cedar St. and thanked them for their work.

Councilmember Wood announced that the South Lansing Business Association will be meeting on Wednesday at 11:30 a.m. at Coscarelli's. The Edmore Park Association will be having their annual picnic on Saturday from 12:30 p.m. to 2:00 p.m. The Memorial Day Parade will take place at 10:00 a.m. on Saturday and after the parade there will be a service at Mt. Hope Cemetery.

Councilmember Matt announced that the Coachlight Neighborhood Association will be meeting on Tuesday at 6:00 p.m. at New Mt. Calvary Church at Waverly and Miller Rd.

Councilmember Jeffries announced that the Development and Planning Committee will be hosting a Public Hearing on Wednesday at 6:30 p.m. at Foster Center in Room 213.

Councilmember Allen announced that the Hawk Island Triathlon will be on Sunday, June 3 at Aurelius and Forest Roads and there will be lane closures for this event from 8:30 a.m. to 9:30 p.m.

City Clerk Swope announced that on Thursday, May 24 there will be a Walk In My Shoes Rally for mental illness awareness from 1:30 p.m. to 2:30 p.m. at the Capitol with registration beginning at 11:00 a.m. He stated that Absentee Voter applications will be going out in the mail soon and will once again be dual applications for both the August Primary and the November General Elections. He gave his condolences to the family of Jerry Squier who passed away last Thursday. Jerry was a seasonal employee for the City Clerk's Office and his wife Nancy works in the office full-time. He announced that the funeral will be held on Tuesday and the Clerk's Office will be closed from 10:30 a.m. until about 2:30 p.m. so the staff may attend his funeral.

SPEAKER REGISTRATION FOR PUBLIC COMMENT

(Clerk Swope announced that the public comment registration form(s) for those intending to address Council on legislative or City government matters will be collected and that only those persons who have fully completed the form(s) will be permitted to speak.)

MAYOR'S COMMENTS

Mayor Bernero spoke about the City's FY 2008 budget on the agenda for approval this evening. He spoke about the Win the Day diversity celebration at Eastern High School and thanked everyone who was involved in its planning. He spoke about a ballot proposal for the November election. He spoke in favor of Memorial for Robert Busby.

SHOW CAUSE HEARINGS

• Comment on Scheduled Show Cause Hearings:

1. In consideration of the issuance of orders for Make Safe or Demolish to the owners of property located at 1721 Mary Ave.
2. In consideration of the issuance of orders for Make Safe or Demolish to the owners of property located at 3407 Churchill Ave.

Councilmember Allen gave a brief overview of both properties.

Councilmember Matt gave additional information regarding the property at 3407 Churchill.

Darnell E. Oldham Sr. of 3815 Berwick Dr spoke in support of trying to

save the Churchill property.

Bill Goodman of 12429 Crabapple stated that he is currently in the process of buying the home on Churchill and plans to start remodeling it. He asked Council to allow him enough time to work on this home.

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

PUBLIC COMMENT ON LEGISLATIVE MATTERS

• Public Comment on Legislative Matters:

Legislative Matters included the following public hearings:

1. In consideration of an Ordinance to Amend the Code of Ordinances, readopting the codified ordinances of the City of Lansing

Councilmember Kaltenebach gave a brief overview of the public hearing.

Stan Shuck of 818 Cooper spoke about concerns that he has with the Riverfront redevelopment project. He also spoke about concerns that he has with the City's budget.

Carol Nakfoor of 3401 Cambrey thanked Council for saving the golf courses. She also thanked other City Employees for helping her with various issues.

Darnell E. Oldham Sr of 3815 Berwick Dr spoke stated concerns with the Riverfront redevelopment project.

Don Dean of 1321 E. North St spoke stated concerns with the Riverfront Redevelopment project.

REFERRAL OF PUBLIC HEARINGS

1. In consideration of the issuance of orders for Make Safe or Demolish to the owners of property located at 1721 Mary Ave.

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

2. In consideration of the issuance of orders for Make Safe or Demolish to the owners of property located at 3407 Churchill Ave.

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

3. In consideration of an Ordinance to Amend the Code of Ordinances, readopting the codified ordinances of the City of Lansing

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

PUBLIC COMMENT ON CITY GOVERNMENT RELATED MATTERS:

D. McGinn of 200 Friendship Circle stated concerns with Comcast Cable.

Stan Shuck of 818 Cooper spoke about various city matters.

Bob Gray of 422 Dadson spoke about various city matters.

William Hubbell of 3916 Wedgewood spoke in support of the

memorials for Robert Busby and Cesar Chavez.

Frank S. Curtis X of 1137 West Allegan spoke about various city matters.

Darnell E. Oldham Sr of 3815 Berwick Dr spoke about various city matters.

Willie Fuller of 829 ½ W. Saginaw spoke about various city matters.

Richard Clement of 900 Long Blvd spoke about health care issues. He also spoke about various city matters.

Russell Terry of 121 E. Mt Hope Ave stated that he has not received his refund check of his recycling fee.

Dr. Willie Davis of 1136 Shepard spoke about alleged parking problems in downtown. He also spoke about voting locations in the City.

Don Dean of 1321 E. North St spoke about various city matters.

LEGISLATIVE MATTERS

RESOLUTIONS

RESOLUTION#173

BY THE COUNCILMEMBER SANDY ALLEN
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Lansing Code Compliance Officer has declared a certain structure (dwelling) at **1520 Ballard Street Parcel # 3301.01.10.153.141 and Legal Description: N 37.5 Ft Lot 24 Block 3 Handy Home Add** to be an unsafe and dangerous building and requested the property owner be ordered to demolish or otherwise make safe the structure; and

WHEREAS, The Code Compliance Officer red tagged the said structure on **August 8, 2006**, and requested the property owner be ordered to demolish or otherwise make safe the structure; and

WHEREAS, on **October 26, 2006**, the Lansing Demolition Board held a special meeting to consider and make a recommendation on whether to declare the structure a dangerous building, as defined in the Housing Law of Michigan (MCLA 125.539) and the Lansing Housing and Premises Code (1460.09) to order the property owner to make safe or demolish the structure; and

WHEREAS, the Code Compliance Office has determined that compliance with the order of the Lansing Demolition Hearing Board officer has not occurred; and

WHEREAS, the Housing Law of Michigan and the Housing and Premises Code require that a hearing be conducted to give the property owner an opportunity to show cause why a dangerous structure should not be demolished or otherwise made safe; and

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council hereby schedules a show cause hearing for **Monday, June 4, 2007, at 7:00 p.m.** in the Lansing City Council Chambers, 10th Floor City Hall, 124 W. Michigan, Lansing, Michigan in consideration of the finding and order of the Lansing Demolition Hearing Board Officer regarding the structure at **1520 Ballard Street**; to give the owner, or the owner's agent, the opportunity to appear and show cause why the building should not be demolished or otherwise made safe; and to approve, disapprove, or modify the order of the hearing officer to demolish or make safe the subject structure.

BE IT FINALLY RESOLVED that the Lansing City Council requests that the Manager of Code Compliance notify the owner of said property of

the opportunity to appear and present testimony at the hearing, as required by law.

By Councilmember Allen

Motion Carried

RESOLUTION#174

BY THE COUNCILMEMBER SANDY ALLEN
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Lansing Code Compliance Officer has declared a certain structure (dwelling) at **1522 Ballard Street Parcel # 3301.01.10.153.131 and Legal Description: S 30 Ft Lot 23 Block 3 Handy Home Add** to be an unsafe and dangerous building and requested the property owner be ordered to demolish or otherwise make safe the structure; and

WHEREAS, The Code Compliance Officer red tagged the said structure on **March 30, 2006**, and requested the property owner be ordered to demolish or otherwise make safe the structure; and

WHEREAS, on **October 26, 2006**, the Lansing Demolition Board held a special meeting to consider and make a recommendation on whether to declare the structure a dangerous building, as defined in the Housing Law of Michigan (MCLA 125.539) and the Lansing Housing and Premises Code (1460.09) to order the property owner to make safe or demolish the structure; and

WHEREAS, the Code Compliance Office has determined that compliance with the order of the Lansing Demolition Hearing Board officer has not occurred; and

WHEREAS, the Housing Law of Michigan and the Housing and Premises Code require that a hearing be conducted to give the property owner an opportunity to show cause why a dangerous structure should not be demolished or otherwise made safe; and

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council hereby schedules a show cause hearing for **Monday, June 4, 2007, at 7:00 p.m.** in the Lansing City Council Chambers, 10th Floor City Hall, 124 W. Michigan, Lansing, Michigan in consideration of the finding and order of the Lansing Demolition Hearing Board Officer regarding the structure at **1522 Ballard Street**; to give the owner, or the owner's agent, the opportunity to appear and show cause why the building should not be demolished or otherwise made safe; and to approve, disapprove, or modify the order of the hearing officer to demolish or make safe the subject structure.

BE IT FINALLY RESOLVED that the Lansing City Council requests that the Manager of Code Compliance notify the owner of said property of the opportunity to appear and present testimony at the hearing, as required by law.

By Councilmember Allen

Motion Carried

RESOLUTION#175

BY THE COUNCILMEMBER SANDY ALLEN
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Lansing Code Compliance Officer has declared a certain structure (dwelling) at **1800 Indiana Parcel # 3301.01.10.203.021 and Legal Description: Lots 226 & 227 Franklin Heights Sub** to be an unsafe and dangerous building and requested the property owner be ordered to demolish or otherwise make safe the structure; and

WHEREAS, The Code Compliance Officer red tagged the said structure on **June 22, 2006**, and requested the property owner be ordered to demolish or otherwise make safe the structure; and

WHEREAS, on **October 26, 2006**, the Lansing Demolition Board held a special meeting to consider and make a recommendation on whether to declare the structure a dangerous building, as defined in the Housing Law of Michigan (MCLA 125.539) and the Lansing Housing and Premises Code (1460.09) to order the property owner to make safe or demolish the structure; and

WHEREAS, the Code Compliance Office has determined that compliance with the order of the Lansing Demolition Hearing Board officer has not occurred; and

WHEREAS, the Housing Law of Michigan and the Housing and Premises Code require that a hearing be conducted to give the property owner an opportunity to show cause why a dangerous structure should not be demolished or otherwise made safe; and

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council hereby schedules a show cause hearing for **Monday, June 18, 2007, at 7:00 p.m.** in the Lansing City Council Chambers, 10th Floor City Hall, 124 W. Michigan, Lansing, Michigan in consideration of the finding and order of the Lansing Demolition Hearing Board Officer regarding the structure at **1800 Indiana**; to give the owner, or the owner's agent, the opportunity to appear and show cause why the building should not be demolished or otherwise made safe; and to approve, disapprove, or modify the order of the hearing officer to demolish or make safe the subject structure.

BE IT FINALLY RESOLVED that the Lansing City Council requests that the Manager of Code Compliance notify the owner of said property of the opportunity to appear and present testimony at the hearing, as required by law.

By Councilmember Allen

Motion Carried

RESOLUTION#176

BY THE COUNCILMEMBER SANDY ALLEN
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Lansing Code Compliance Officer has declared a certain structure (dwelling) at **129 E. Reasoner Street Parcel # 3301.01.09.201.091 and Legal Description: E 50 Lot 5 Block 5 Turner & Smiths Sub** to be an unsafe and dangerous building and requested the property owner be ordered to demolish or otherwise make safe the structure; and

WHEREAS, The Code Compliance Officer red tagged the said structure on **April 22, 2006**, and requested the property owner be ordered to demolish or otherwise make safe the structure; and

WHEREAS, on **October 26, 2006**, the Lansing Demolition Board held a special meeting to consider and make a recommendation on whether to declare the structure a dangerous building, as defined in the Housing Law of Michigan (MCLA 125.539) and the Lansing Housing and Premises Code (1460.09) to order the property owner to make safe or demolish the structure; and

WHEREAS, the Code Compliance Office has determined that compliance with the order of the Lansing Demolition Hearing Board officer has not occurred; and

WHEREAS, the Housing Law of Michigan and the Housing and Premises Code require that a hearing be conducted to give the property owner an opportunity to show cause why a dangerous structure should not be demolished or otherwise made safe; and

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council hereby schedules a show cause hearing for **Monday, June 18, 2007, at 7:00 p.m.** in the Lansing City Council Chambers, 10th Floor City Hall, 124 W. Michigan, Lansing, Michigan in consideration of the finding and order of the Lansing Demolition Hearing Board Officer regarding the structure at **129 E. Reasoner**; to give the owner, or the owner's agent, the opportunity to appear and show cause why the building should not be demolished or otherwise made safe; and to approve, disapprove, or modify the order of the hearing officer to demolish or make safe the subject structure.

BE IT FINALLY RESOLVED that the Lansing City Council requests that the Manager of Code Compliance notify the owner of said property of the opportunity to appear and present testimony at the hearing, as required by law.

By Councilmember Allen

Motion Carried

RESOLUTION#177

BY THE COUNCILMEMBER SANDY ALLEN
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Lansing Code Compliance Officer has declared a certain structure (dwelling) at **513 Isbell Parcel # 3301.01.21.477.040 and Legal Description: Lots W 28 Ft of E 56 Ft Lots 51 & 52 Torrance Farm Add** to be an unsafe and dangerous building and requested the property owner be ordered to demolish or otherwise make safe the structure; and

WHEREAS, The Code Compliance Officer red tagged the said structure on **July 22, 2004**, and requested the property owner be ordered to demolish or otherwise make safe the structure; and

WHEREAS, on **December 7, 2006**, the Lansing Demolition Board held a special meeting to consider and make a recommendation on whether to declare the structure a dangerous building, as defined in the Housing Law of Michigan (MCLA 125.539) and the Lansing Housing and Premises Code (1460.09) to order the property owner to make safe or demolish the structure; and

WHEREAS, the Code Compliance Office has determined that compliance with the order of the Lansing Demolition Hearing Board officer has not occurred; and

WHEREAS, the Housing Law of Michigan and the Housing and Premises Code require that a hearing be conducted to give the property owner an opportunity to show cause why a dangerous structure should not be demolished or otherwise made safe; and

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council hereby schedules a show cause hearing for **Monday, June 25, 2007, at 7:00 p.m.** in the Lansing City Council Chambers, 10th Floor City Hall, 124 W. Michigan, Lansing, Michigan in consideration of the finding and order of the Lansing Demolition Hearing Board Officer regarding the structure at **513 Isbell**; to give the owner, or the owner's agent, the opportunity to appear and show cause why the building should not be demolished or otherwise made safe; and to approve, disapprove, or modify the order of the hearing officer to demolish or make safe the subject structure.

BE IT FINALLY RESOLVED that the Lansing City Council requests that the Manager of Code Compliance notify the owner of said property of the opportunity to appear and present testimony at the hearing, as required by law.

By Councilmember Allen

Motion Carried

RESOLUTION#178

BY THE COMMITTEE ON GENERAL SERVICES
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the application for a license to sell or offer to sell retail fireworks filed by B.J. Alan on behalf of K-Mart #4382 located at 5400 South Cedar Street was referred to the Committee on General Services; and

WHEREAS, the application had been previously approved by the appropriate departments within the City of Lansing; and

WHEREAS, B.J. Alan on behalf of K-Mart #4382 located at 5400 South Cedar Street agree that only retail fireworks that are approved for sale by the State of Michigan and the City of Lansing will be sold at the site;

NOW, THEREFORE, BE IT RESOLVED that the application for a license to sell or offer to sell retail fireworks filed by B.J. Alan on behalf of K-Mart #4382 located at 5400 South Cedar Street is approved;

BE IT FURTHER RESOLVED that this license to sell retail fireworks will expire on April 30, 2008, as set forth in the City of Lansing Fireworks Ordinance, Chapter 1615 of the Lansing Code of Ordinances.

By Councilmember Kaltenbach

Motion Carried

RESOLUTION#179

BY THE COMMITTEE ON GENERAL SERVICES
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the application for a license to sell or offer to sell retail fireworks filed by Janet Stajos of American Eagle Superstore located at 901 North Larch was referred to the Committee on General Services; and

WHEREAS, the application had been previously approved by the appropriate departments within the City of Lansing; and

WHEREAS, Janet Stajos of American Eagle Superstore located at 901 North Larch agree that only retail fireworks that are approved for sale by the State of Michigan and the City of Lansing will be sold at the site;

NOW, THEREFORE, BE IT RESOLVED that the application for a license to sell or offer to sell retail fireworks filed by Janet Stajos of American Eagle Superstore located at 901 North Larch is approved;

BE IT FURTHER RESOLVED that this license to sell retail fireworks will expire on April 30, 2008, as set forth in the City of Lansing Fireworks Ordinance, Chapter 1615 of the Lansing Code of Ordinances.

By Councilmember Kaltenbach

Motion Carried

RESOLUTION#180

BY THE COMMITTEE ON GENERAL SERVICES
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the application for a license to sell or offer to sell retail fireworks filed by Charles Walker of TNT Fireworks for store locations: Aldi's #1519, 6555 Pennsylvania Avenue; Kroger #852, 443 Mall Court; Menards #3158, 725 American Road; Target #361, 500 E. Edgewood Blvd.; Sam's Club #8137, 340 E. Edgewood Blvd.; Kroger #884, 921 W. Holmes Street; L&L Foodstore/Daily Deals #277, 3630 S. Cedar Street; L&L Food Center #275, 5016 S. Martin Luther King Jr. Blvd.; Meijer #24, 6200 S. Pennsylvania was referred to the Committee on General Services; and

WHEREAS, the application had been previously approved by the appropriate departments within the City of Lansing; and

WHEREAS, TNT Fireworks and Aldi's #1519, 6555 Pennsylvania Avenue; Kroger #852, 443 Mall Court; Menards #3158, 725 American Road; Target #361, 500 E. Edgewood Blvd.; Sam's Club #8137, 340 E. Edgewood Blvd.; Kroger #884, 921 W. Holmes Street; L&L Foodstore/Daily Deals #277, 3630 S. Cedar Street; L&L Food Center #275, 5016 S. Martin Luther King Jr. Blvd.; Meijer #24, 6200 S. Pennsylvania agree that only retail fireworks that are approved for sale by the State of Michigan and the City of Lansing will be sold at the site;

NOW, THEREFORE, BE IT RESOLVED that the application for a license to sell or offer to sell retail fireworks filed by Charles Walker of TNT Fireworks on behalf of Aldi's #1519, 6555 Pennsylvania Avenue; Kroger #852, 443 Mall Court; Menards #3158, 725 American Road; Target #361, 500 E. Edgewood Blvd.; Sam's Club #8137, 340 E. Edgewood Blvd.; Kroger #884, 921 W. Holmes Street; L&L Foodstore/Daily Deals #277, 3630 S. Cedar Street; L&L Food Center #275, 5016 S. Martin Luther King Jr. Blvd.; Meijer #24, 6200 S. Pennsylvania is approved;

BE IT FURTHER RESOLVED that this license to sell retail fireworks will expire on April 30, 2008, as set forth in the City of Lansing Fireworks Ordinance, Chapter 1615 of the Lansing Code of Ordinances.

By Councilmember Kaltenbach

Motion Carried

RESOLUTION#181

BY THE COMMITTEE ON GENERAL SERVICES
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, The Memorial Review Board received an application from Mayor Virg Bernero requesting authorization for renaming the East Grand River Bridge in Old Town "Robert P. Busby Memorial Bridge"; and

WHEREAS, The Memorial Review Board reviewed the application and recommended the request be granted in accordance to Ordinance 1034; and

WHEREAS, a public hearing was held on May 7, 2007, in consideration of renaming the East Grand River Bridge in Old Town "Robert P. Busby Memorial Bridge"; and

WHEREAS, The Committee on General Services reviewed the application and recommended supporting the Memorial Review Board's recommendation to approve renaming the East Grand River Bridge in Old Town "Robert P. Busby Memorial Bridge";

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, approve Mayor Bernero's request to rename the East Grand River Bridge in Old Town "Robert P. Busby Memorial Bridge".

BE IT FURTHER RESOLVED the estimated costs in the amount of \$2,000 will be funded per the application.

By Councilmember Kaltenbach

Motion Carried

THIS ITEM WAS RETURNED TO COMMITTEE
BY THE COMMITTEE ON GENERAL SERVICES
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the City of Lansing funds for community cablecasting activities covering calendar year 2006-2007 amounts to \$8,600; and

WHEREAS, the Telecommunication and Cable Advisory Board has evaluated five (5) grant applications from community programmers and recommended that all five (5) applicants receive funding totaling \$3,701.80, with a reserve of \$4,898.20; and

WHEREAS, the Committee on Ways and Means reviewed the Board's recommendations, and concurs on the availability of funds; and

WHEREAS, the Committee on General Services has reviewed the Board's recommendations, and concurs with the list of recommended grants; and

WHEREAS, the grant contract includes a provision that all recipients shall abide by the rules and regulations required of grant recipients;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council, hereby, approves the grant allocations to producers of community programs according to the attached list, as recommended by the Telecommunications and Cable Advisory Board; and

BE IT FURTHER RESOLVED that Council Staff is authorized to make a bulk purchase of videotape and allocate tape to applicants in amounts specified on the attached summary; and

BE IT FURTHER RESOLVED that all grant recipients will sign a contract and abide by the rules thereof; and

BE IT FINALLY RESOLVED that the total reserve from this fund be placed aside to purchase equipment items, yet to be recommended by the Telecommunications & Cable Advisory Board, to enhance the Public Access Facility.

**RESOLUTION WAS ADOPTED AS RESOLUTION #526 ON
NOVEMBER 20, 2006 AUTHORIZING THE CONSTRUCTION OF A
MEMORIAL STATUE IN MEMORY OF CESAR CHAVEZ**

Establishment of a permanent memorial statue on the front corridor of City Hall in honor of Cesar Chavez

RESOLUTION#182

BY THE COMMITTEE ON GENERAL SERVICES
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, John Kobus of 2800 N. Cambridge has applied for a Peddlers and Transient Merchants License for the purpose of selling various products at 3425 S. Martin Luther King Jr. Blvd.; and

WHEREAS, the Committee on General Services met on May 21, 2007, and recommends approval of the application of John Kobus for a 2007 Peddlers and Transient Merchants License.

NOW, THEREFORE, BE IT RESOLVED, the Lansing City Council, hereby, approves 2007 Peddlers and Transient Merchants License for John Kobus for the purpose of selling miscellaneous items at 3425 S. Martin Luther King Jr. Blvd.

By Councilmember Kaltenbach

Motion Carried

RESOLUTION#183

BY THE COMMITTEE ON GENERAL SERVICES
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Peckham Community Partnership Foundation has requested a resolution recognizing them as a Nonprofit Organization operating in the City of Lansing for a charitable gaming license pursuant to MCL 432.103 (9); and

WHEREAS, the City Attorney has reported that, based on a review of the documentation submitted, the applicant qualifies as a Local 501 (c) (3) Nonprofit Organization;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council, hereby, recognizes Peckham Community Partnership Foundation operating in the City of Lansing for the purpose of obtaining a charitable gaming license to conduct a raffle.

BE IT FURTHER RESOLVED the City Clerk is requested to provide a copy of this resolution to Jeffrey Croff, Community Relations Administrator, Peckham Partnership Foundation, 2822 N. MLK Jr. Blvd., Lansing, Michigan.

By Councilmember Kaltenbach

Motion Carried

RESOLUTION#184

BY THE COMMITTEE ON GENERAL SERVICES
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Greater Lansing Association of REALTORS has requested a resolution recognizing them as a Nonprofit Organization operating in the City of Lansing for a charitable gaming license pursuant to MCL 432.103 (9); and

WHEREAS, the City Attorney has reported that, based on a review of the documentation submitted, the applicant qualifies as a Local 501 (c) (3) Nonprofit Organization;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council, hereby, recognizes Greater Lansing of REALTORS as a Nonprofit Organization operating in the City of Lansing for the purpose of obtaining a charitable gaming license to conduct a raffle.

BE IT FURTHER RESOLVED the City Clerk is requested to provide a copy of this resolution to Elaine B. West, Chief Executive Officer, Greater Lansing Association of REALTORS, 4039 Legacy Parkway, Lansing.

By Councilmember Kaltenbach

Motion Carried

RESOLUTION#185

BY THE COMMITTEE OF THE WHOLE
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, at its regular Committee of the Whole meetings, the City Council publicly reviewed the operations of City Departments and the status of critical issues with City Departments; and

WHEREAS, the City Council held special Committee of the Whole meetings during evening hours at Foster Community Center on April 19th, and Dwight Rich Middle School on April 24th, and as part of the Council meeting to provide opportunities for citizens to comment on the proposed City budget; and

WHEREAS, the City Council held twelve days of televised public hearings to review, and when necessary amend, the Mayor's FY 2007-08 budget recommendations; and

WHEREAS, in accordance with City Charter and the State Uniform Budgeting and Accounting Act, notice was published and a public hearing was held on May 14, 2007, in regard to the FY 2007-08 budget and capital improvements; and

WHEREAS, in the light of the present economy the City Council maintains that essential services, such as police, fire, and 911 and other services be protected from budget cuts to the extent possible in its FY 2007-08 budget priorities; and

WHEREAS, the City Council wholeheartedly recognizes the importance of forward planning to allow essential services to be maintained during difficult budget times; and

WHEREAS, the City Council developed budget policy referrals to allow continued oversight of several critical issues which were raised during the FY 2007-08 budget process; and

WHEREAS, the proposed budget maintains funding for the Combined Sewer Overflow abatement project, while restraining estimated increases in sewer fees for the next three years to 4% per year; and

NOW, THEREFORE, BE IT RESOLVED that the City of Lansing's FY 2007-08 operating property tax levy will be 14.95 mills, and the City's debt service levy will be reduced from .93 mills to .88 mills for a combined total tax levy of 15.83;

BE IT FINALLY RESOLVED that the Mayor's Recommended Budget for FY 2007-08 be adopted with the following amendments:

BUDGET AMENDMENTS for FY 08

I. GENERAL FUND

A. GENERAL FUND REVENUE

a. Interest & Rents 1,026

B. GENERAL FUND EXPENDITURES

1 City Council

a. Training	(11,000)
b. Martin Luther King Jr. Day	(1,000)
c. Cesar Chavez Event	(1,000)
d. PowWow Event	(1,000)
e. African America Parade	(500)
f. Jazz Festival	(500)
g. Taste of Blackness	(500)
h. Sun Festival	(500)
i. Blues Festival	(500)
j. Michigan Miles Event	(500)
k. Community Promotion (above events moved here)	6,000
l. Fringe Benefits	(5,872)

2 Cable Access

a. Salaries	3,500
b. Training	(2,000)
c. Fringe Benefits	(1,057)

3 Internal Audit

a. Salaries	500
b. Training	(1,000)
c. Fringe Benefits	(534)

4 District and Circuit Courts

a. Budget Control - District Court For Fringe Benefits	(28,856)
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5 Mayor's Office

a. Fringe Benefits	(2,402)
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6 City Clerk

a. Fringe Benefits	(3,737)
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7 Planning & Neighborhood Dev.

a. Neighborhood Grants	10,000
b. Support to Neighborhood Council	10,000
c. Fringe Benefits	(21,200)

8 Finance Department

a. Fringe Benefits	(44,910)
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9 Human Resources Department

a. Fringe Benefits	(6,939)
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10 City Attorney's Office

a. Fringe Benefits	(5,872)
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11 Lansing Police Department

a. Fringe Benefits	(145,945)
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12 Lansing Fire Department

a. Fringe Benefits	(115,836)
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13 Public Service General Fund

a. Fringe Benefits	(4,915)
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14 Human Relations & Community Service Dept.

a. Fringe Benefits	(4,270)
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15 Parks & Recreation Department

a. Fringe Benefits	(29,620)
b. Forestry Salaries (add back Position 400 and to fill)	36,528
c. Forestry Fringe Benefits	16,472
d. Parks Maint. Salaries to continue three seasonal positions for season ending in FY 08 for a total of 57 seasonal's	35,600
e. Parks Maint. Fringe Benefits	9,400
f. Community Centers Salaries for part time Senior Programmer	13,930
g. Community Centers Fringe Benefits	1,070

16 Human Service Agencies

a. Diversity Initiative RFP	(15,000)
b. GLA Commission on Race & Diversity	15,000
c. Human Services Discretionary	(26,000)
d. Southside Community Coalition	16,000
e. CareFree Medical	10,000
f. National Council on Alcoholism	(10,000)
g. Black Child & Family Inst	10,000

17 Operating Transfers to Other Funds

a. Municipal Golf Courses Fund to fully fund for opening in the spring of FY 08	100,000
b. Capital Projects Infrastructure for Fire Station #43 repairs necessary to open	200,000
Subtotal - General Fund Changes	1,026

II. Major Streets Fund

A. Revenues	
a. Fund Balance	(15,537)
B. Expenditures	
a. Fringe Benefits	(15,537)
Subtotal Major Streets Fund Changes	(15,537)

III. Local Streets Fund

A. Revenues	
a. Fund Balance	(12,803)
B. Expenditures	
a. Fringe Benefits	(12,803)
Subtotal Local Streets Fund Changes	(12,803)

IV. 911 Communications Center

A. Revenues		
a. Fund Balance	(28,826)	
B. Expenditures		
a. Fringe Benefits		(28,826)
Subtotal 911 Communications Center Fund Changes	(28,826)	(28,826)
V. Building Safety Fund		
A. Revenues		
a. Fund Balance	(8,008)	
B. Expenditures		
a. Fringe Benefits		(8,008)
Subtotal Building Safety Fund Changes	(8,008)	(8,008)
VI. CDBG Fund		
A. Expenditures		
a. Fringe Benefits		(4,277)
b. Building Rehab - Residential		4,277
Subtotal CDBG Fund Changes	-	-
VII. HOME Grant Fund		
A. Expenditures		
a. Fringe Benefits		(347)
b. Building Rehab - Residential		347
Subtotal HOME Grant Fund Changes	-	-
VIII. Forfeiture Fund - Drug Law Enforcement		
A. Revenues		
a. Fund Balance	(1,067)	
B. Expenditures		
a. Fringe Benefits		(1,067)
Subtotal Forfeiture Fund - Drug Law Enforcement Changes	(1,067)	(1,067)
IX. Capital Projects -Infrastructure Fund		
A. CIP Revenues		
a. Operating Transfer From General Fund for Fire Station #43 repairs necessary to open	200,000	
b. Fund Balance		
B. CIP Expenditures		
a. Building Maint. (For Fire Station #43 repairs and opening)		200,000
Subtotal CIP Fund Changes	200,000	200,000
X. Municipal Cemeteries Fund		
A. Revenues		
a. Fund Balance	(2,135)	
B. Expenditures		
a. Fringe Benefits		(2,135)
Subtotal Municipal Cemeteries Fund Changes	(2,135)	(2,135)
XI. Municipal Golf Courses Fund		
A. Golf Fund Revenues		
a. Operating Transfers From General Fund to fully fund for opening in the spring of FY 08	100,000	
b. Fund Balance	(4,625)	
B. Golf Fund Expenditures		
a. Salaries (to fully fund for opening in spring FY 08)		65,988
b. Fringe Benefits		34,012
c. Fringe Benefits		(4,625)
Subtotal Municipal Golf Courses Fund Changes	95,375	95,375
XII. Municipal Parking System Fund		
A. Revenues		
a. Fund Balance	(36,600)	
B. Expenditures		
a. Fringe Benefits		(36,600)
Subtotal Parking Fund Changes	(36,600)	(36,600)
XIII. Sewage Disposal System Fund		

A. Revenues		
a. Fund Balance	(36,685)	
B. Expenditures		
a. Fringe Benefits		(36,685)
Subtotal Sewage Fund Changes	(36,685)	(36,685)
XIV Refuse Disposal System Fund		
A. Revenues		
a. Fund Balance	(3,931)	
B. Expenditures		
a. Fringe Benefits		(3,931)
Subtotal Refuse Fund Changes	(3,931)	(3,931)
XV. Municipal Recycling Fund		
A. Revenues		
a. Fund Balance	(10,713)	
B. Expenditures		
a. Fringe Benefits		(10,713)
Subtotal Recycling Fund Changes	(10,713)	(10,713)

It is Council's intent and understanding that adoption of the FY 2007-2008 Budget constitutes the City's official budget.

BUDGET POLICIES

Encumbrances

Authority is provided to re-appropriate available capital project balances as of June 30, 2007 into the FY 2007-08 budget. All non-capital, unencumbered balances require Council approval for re-appropriation.

Authority is provided to re-appropriate outstanding encumbered obligations which are less than \$5,000 into the FY 2007-08 budget and the Administration is requested to present Council with a detailed report listing each encumbrance and its corresponding amount by September 2007. Notwithstanding the above, encumbrances which are less than \$5,000 and more than 8 months old shall require Council approval.

Residency Incentive

In the event that funds advanced for home purchases are returned from employees, such funds shall be administratively re-appropriated to the City's Residency Incentive Program. Any amounts remaining in the City's Residency Incentive Program at the end of FY 2006-07 will be carried forward to FY 2007-08 and placed into the Residency Incentive Program account. The Administration is requested to identify other potential funding sources to be used for the City's Residency Incentive Program and report its findings to Council by January 1, 2008.

Labor Relations

Authority is included to transfer wage reserves and fringes to Departmental line items upon contract settlements.

Vacant and Unfunded Positions and Position Eliminations

Positions shown in the various Departmental budgets as eliminated in the FY 2007-08 budget are removed from Departmental Tables of Organization. The Administration is requested to present to Council on or before July 1, 2007, a Citywide organizational chart reflecting all FY 2007-08 budgeted positions (funded-filled or vacant) and provide a list, by Department, of each position including position title, FTE, wages and fringes, and whether the position is filled or vacant.

Vacancy factor/funded and unfilled Positions

The budget includes an attrition vacancy allowance of \$1,800,000. The Administration is requested to provide Council on July 1, 2007, and every month, thereafter, a list of vacant positions by department. The Administration is also requested to provide, on a quarterly basis, a detailed list by Department of all positions by title, FTE, wages and fringes, and impact programs and/or services which are included

within this allowance. The personnel wages and fringes associated with all positions identified above as of July 1, 2007, and any such position vacated, thereafter, shall be placed in a budget control account, and will require City Council approval for expenditure.

Infrastructure / Sewage / CSO

Sewage rates shall be maintained at the scheduled 4% increase. Authorization is provided to transfer Sewage funding and State Revolving Loan Fund proceeds to expenditure accounts within the 592 Capital Projects Fund Series and recover residual funding from completed project segments in CSO funds to the Sewage Fund. Authority is provided for the administrative appropriation of 2003 Sewer Bond proceeds for the ineligible share of Combined Sewer Overflow projects and for such other Sewage Fund projects as are within the provisions of the bond covenant. This authority includes re-appropriation of residual funds for the design phase of succeeding project segments. Authority is provided to administratively appropriate funding from the Lansing Board of Water and Light when the Board chooses to participate in infrastructure repairs which may be accomplished during the CSO project by the City contractor. The Administration is requested to submit to Council detailed quarterly reports beginning September 1st of each year outlining the transfers made pursuant to the above authorization.

Golf Fees

The Administration is requested to submit to Council information pertaining to the feasibility to charge non-resident fees for Golf and the financial impact of doing so by June 30, 2007.

Public Service

Authority is provided to administratively transfer funding for flood control and storm sewer purposes if such funding is necessary to address flooding or unanticipated storm sewer maintenance needs. Administrative transfer authority is authorized for expenditure of 1990-II Environmental Bond Fund proceeds and to transfer Technical Equipment Replacement funding to the Service Garage fund and to create appropriate expenditure accounts. The Administration shall submit to Council detailed quarterly reports beginning September 1st of each year outlining the transfers made pursuant to the above authorization.

Act 51 Major and Local Streets

Transfer authority is not limited by departmental allocation. Administrative authority is included for appropriation of MDOT special authorization funding. Authorization is included to carry forward residual appropriations from FY 2006/2007 Traffic Maintenance accounts for matching the ITS Signal Pre-emption Grant. The Administration shall submit to Council detailed quarterly reports beginning September 1st of each year outlining the transfers made pursuant to the above authorization.

Parking System Fund

Authority is provided to administratively transfer to Capital Project accounts from Operating Cost accounts to meet bid or unforeseen major maintenance cost requirements. The Administration shall submit to Council detailed quarterly reports beginning September 1st of each year outlining the transfers made pursuant to the above authorization.

Fees

Approval is herein given to charge fees as listed in the budget fee schedules.

Grants

The Administration shall present to Council every application for any grant and, upon notification of the award of a grant, shall submit the grant to Council for acceptance. Administrative authority is given to create the necessary accounts and transfers in accordance with the requirements of the grantor.

Debt Service

Authority is provided to transfer residual balances between General Obligation Bond Funds, upon completion of repayment, to meet funding needs in other General Obligation issues and to close funds. The Administration shall submit to Council detailed quarterly reports beginning September 1st of each year outlining the transfers made pursuant to the above authorization.

Civil Actions, Claims, and Damages

Whenever a claim is made or any civil action is commenced against the Mayor, a City Council member, a non-bargaining unit employee, or a Lansing retirement board trustee (collectively in this provision "the Employee") for damages caused by an act or acts of the Employee within the scope of his or her authority and while in the course of his or her employment with the City or his or her duties on behalf of the retirement board, the City will pay for, engage, or furnish the services of an attorney to advise the Employee as to the claim and to appear for and represent the Employees in the action. If the City Attorney does not provide the attorney services, the attorney selection shall be made by the City in the manner the City determines. The City may compromise, settle, and pay a claim before or after the commencement of any civil action. Whenever any judgment for damages caused by the act or acts of the Employee covered under this provision is awarded against the Employee as the result of a civil action, the City will indemnify the Employee or will pay, settle, or compromise the judgment. The City's obligations under this provision, however, is contingent upon the Employee giving prompt notice of the commencement of the action and upon the Employee cooperating in the preparation, defense, and settlement of the action. The term "scope of authority" under this provision does not include any act or acts of Employee (i) fraud, (ii) dishonesty, (iii) willful, intentional, or deliberate violation of the law or breach of fiduciary duty, (iv) criminal act, or (v) traffic violation; nor does this provision abrogate or diminish governmental immunity.

Consolidated Law Enforcement Building

The Administration is requested to submit to Council a detailed analysis and business plan for Consolidated Law Enforcement Building to include the centralization of all police facilities and operations, 911 Center, and 54A District Court. This analysis should include the efficiencies that will be achieved, detail analysis of cost savings, and the elimination of redundancies.

Capital Improvement Projects

The Internal Auditor will provide an annual report to Council on all projects completed in the prior fiscal year regarding the Capital Improvement Project budgets and all cost overruns or under expenditures. This report will be submitted by January 31st each year for consideration by Council.

City's Road Maintenance/Construction Capital Improvement Plan

The Administration is requested to update on an annual basis and submit to Council by January 1st each year.

425 Agreements/Project Labor Agreements

Council will review language to be incorporated in all future City 425 Agreements and Project Labor Agreements that addresses employment opportunities for City of Lansing residents and other issues that will protect the interests of the City.

Contracts

The Administration is requested to submit to Council by September 15, 2007, a detailed analysis and recommendations as to which contractual services above \$50,000, which were previously identified, could be brought "in-house", either in part or in total. The analysis should include projected costs and efficiencies.

Community Resource Officers

The Chief of Police provided four officers to assigned schools; the City Council strongly suggests that the Lansing School District reimburse the City for half the officers' wages and fringes.

Human Services and Community Supported Agencies Funding

The plan for funding Agencies submitted to Council designate particular Agencies. If any agency does not apply for or use their funding, all funds will be returned to a control account for additional appropriation and approval by Council for Human Services and Community Supported Agencies use.

Personnel and Fringe Accounts

Administrative transfer authority shall be as set forth in Section 7-107.3 of the City Charter.

Team Concept

Administration is requested to review and bring back to Council possibilities for providing services on a team basis so that workers develop ownership of their areas.

Event Costs

The Administration is requested to present Council with a detailed analysis by January 1, 2008, of the costs spent by the City on all public events which occurred from July 1, 2007, through December 31, 2007. This analysis is to include a breakdown, by event, the related City costs such as police, public service time, parks, etc. The Administration is to collect this data on a continuous basis and report its findings to Council on January 1st of the calendar year.

South Side Community Center

Council supports establishing South Side Community Center(s) and requests the Administration to prepare a comprehensive plan by September 15, 2007, to establish the center(s).

South Side Community Center Funding

Council requests Administration keep funds segregated that have been identified for the South Side Community Center, including interest.

Pedway

The Administration is requested to submit to Council by October 1, 2007, a detailed plan and budget for the renovation the Pedway.

City Capital Improvement and Maintenance

The City's Capital Improvement and Maintenance Plan is referred to Committee of the Whole for Review and Consideration by January 1, 2008.

Wood Street Sidewalk

Administration is requested to review whether a sidewalk on Wood Street is needed.

Light on Fairview and Saginaw

Administration is requested to work with MDOT on changing the caution light at Fairview and Saginaw to a full phase traffic signal light and installing a full phase traffic signal light and pedestrian crossway at Marshall and Grand River.

Council's Budget Policy Statement

It is Council's intent and understanding that adoption of the FY2007-08 budget constitutes the City's official budget priorities and policy.

By Councilmember Jeffries

To adopt the Mayor's Recommended Budget for FY2007-08 with the above amendments

Councilmember Dunbar requested to be recused from the portions of the budget that provide funding for her employer, the South Lansing Community Development Association.

By Councilmember Kaltenbach

To divide the question to allow for separate votes on items that may pose a potential conflict of interest with regard to the South Lansing Community Development Association

Motion Carried

By Councilmember Kaltenbach

To recuse Councilmember Dunbar from portions of the budget involving appropriations to the South Lansing Community Development Association

Motion Carried

The question being adoption of those portions of the Budget involving appropriations to the South Lansing Community Development Association

Motion Carried with Councilmember Dunbar abstaining

The question being adoption of the remainder of the Budget

Motion Carried

RESOLUTION#186

BY THE COMMITTEE OF THE WHOLE
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the City of Lansing is the owner of the South Grand Avenue parking ramp, which was built in 1968 and exceeds its design life; and

WHEREAS, the future private redevelopment of the South Grand Avenue parking ramp property may be in the City's best interest; and

WHEREAS, Section 8-403.6 of the Lansing City Charter requires a vote of the public before waterfront land may be sold and Section 208.10(a) of the Lansing Code of Ordinances further defines waterfront to mean an area of both land and water related to the Grand River, the Red Cedar River and Sycamore Creek within the City. The area of land shall be a strip of land, on both banks of the water body, bounded by the normal waters edge and a line twenty-five feet, horizontal measure, from and paralleling such edge; and

WHEREAS, the portion of the South Grand Avenue parking ramp is within the twenty-five feet of waterfront as defined by Lansing municipal law set forth above and, consequently, may not be sold without a vote of the Lansing electorate;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Lansing that a proposal for the sale or disposition of the waterfront portion of the land occupied by the South Grand Avenue parking ramp be submitted to the electors of the City of Lansing for approval as required by Section 8-403.6 of the Lansing City Charter at the election scheduled for August 7, 2007.

BE IT FURTHER RESOLVED that the proposal be submitted to the electors in manner and form substantially as follows:

Shall the City of Lansing, for redevelopment purposes, be authorized to sell or otherwise dispose of that portion of the South Grand Avenue parking ramp property that is located on the land that is within twenty-five feet of the Grand River and is legally described as:

A portion of Lots 3 and 4 of Block 112 and Lots 1, 2 and 3 Block 113 Original Plat and vacated Allegan St. east of Grand Avenue beginning at the intersection of a line 22 feet north of the south property line of Lot 3 Block 112 Original Plat and the Grand River

thence west 25 feet parallel to the south lot line of Lot 3 Block 112 Original Plat, thence south along a line parallel to the west bank of the Grand River to a point 4 feet south of the north line of Lot 3 Block 113 Original Plat thence east along a line parallel to the north line of Lot 3 Block 113 Original Plat to the Grand River, City of Lansing, Ingham County, Michigan.

BE IT FURTHER RESOLVED that this resolution be posted in a conspicuous place in each polling place in the City of Lansing.

BE IT FURTHER RESOLVED that the votes cast upon the proposal shall be counted, canvassed and returned, and the results determined in the same manner as required for other electoral questions as prescribed by law.

BE IT FINALLY RESOLVED that the City Clerk is requested to provide sufficient notice of the placement of this ballot proposal, in conformance with state election law, to the County Clerk and is hereby authorized to take appropriate steps for the placement of the proposal on the August 7, 2007 ballot.

By Councilmember Jeffries

Motion Carried

REPORTS FROM COUNCIL COMMITTEES

There were no Committee Reports

ORDINANCES FOR INTRODUCTION

INTRODUCTION OF ORDINANCE AMEND CHAPTER 8, SECTION 8.03

By Councilmember Kaltenbach, Chair of the Committee on General Services

An Ordinance of the City of Lansing, MI to Amend Chapter 8, Section 8.03 of the Codified Ordinances by increasing penalties for multiple overnight parking violations and authorizing the impoundment of vehicles and the assessment of costs for chronic offenders, was introduced by Councilmember Kaltenbach, read a first and second time by its title and referred to the Committee of the Whole

RESOLUTION#187 RESOLUTION SETTING PUBLIC HEARING By Councilmember Kaltenbach

RESOLVED BY THE CITY COUNCIL, CITY OF LANSING, that a public hearing be set for Monday, June 18, 2007 at 7:00 P.M. in the City Council Chambers, 10th Floor Lansing City Hall, 124 W. Michigan Ave., Lansing, MI for the purpose of considering:

An Ordinance of the City of Lansing, MI to Amend Chapter 8, Section 8.03 of the Codified Ordinances by increasing penalties for multiple overnight parking violations and authorizing the impoundment of vehicles and the assessment of costs for chronic offenders

Interested Persons are invited to attend this Public Hearing

By Councilmember Kaltenbach

Motion Carried

ORDINANCES FOR PASSAGE

There were no Ordinances for Passage

REPORTS FROM CITY OFFICERS, BOARDS, AND

COMMISSIONS; COMMUNICATIONS AND PETITIONS; AND OTHER CITY RELATED MATTERS

By Councilmember Jeffries that all items be considered as being read in full and that President Leeman make the appropriate referrals

Motion Carried

• Reports from City Officers, Board and Commissions:

- a. Letter from the City Clerk submitting an application for a license to Sell or Offer to Sell Retail Fireworks filed by Janet Stajos of 901 N. Larch St. to be sold at 5101 S. Pennsylvania Ave.

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

- b. Letter from the City Clerk providing notice to Stampede Saloon/dba Hot Shots II, LLC of the Denial of a request for a Cabaret license in the City of Lansing by the Lansing City Treasurer

RECEIVED AND PLACED ON FILE

- c. Letter from the City Clerk submitting minutes of Boards and Authorities placed on file in the City Clerk's Office

RECEIVED AND PLACED ON FILE

- d. Letter from the Mayor regarding Transfer of Funds; State/Federal Programs, PA302 to support training for the Police Department

REFERRED TO THE COMMITTEE ON WAYS AND MEANS AND THE INTERNAL AUDITOR

• Communications and Petitions, and Other City Related Matters:

- a. Contracts between the State of Michigan Department of Transportation and the City of Lansing for:

Part A – Reconstruction work along Haag Rd. from Miller Rd. to Martin Luther King Blvd.; including concrete curb and gutter, concrete sidewalk, concrete drive approaches, and storm sewer work; and all together with necessary related work

Part B – Audiovisual taping and sanitary sewer work along Haag Rd. from Miller Rd. to Martin Luther King Blvd.; and all together with necessary related work

Part A – The removal and replacement of the structure B01 of 33-40-36, which carries Beech St. over the Red Cedar River, Section 21, T4N, R2W, City of Lansing, Ingham County, MI; the reconstruction of the approaches to the structure for approximately 126 feet northerly and 145 feet southerly of the structure; and all together with necessary related work

Part B – Contractor staking and nameplate installation work for the structure B01 of 33-40-36, which carries Beech St. over the Red Cedar River; trees, shrubs, and park bench installation work in the vicinity of the structure B01 of 33-40-36; and all together with necessary related Work

Streetscaping work along Washington Ave. from Shiawassee St. to Ottawa St.; including concrete sidewalk, brick pavers, historic lighting, benches, rain gardens and tree planting work; and all together with necessary related

Work

REFERRED TO THE CITY ATTORNEY AND REFERRED TO
TRANSPORTATION

- b. Letter from Comcast Cable providing notice of changes to the
NFL Network effective June 21, 2007

RECEIVED AND PLACED ON FILE

- c. Michigan Tax Tribunal Appeals filed by Attorneys on behalf of:
- Cedars Edge Investors, LLC for property located at 6250
S. Cedar Street
 - GBT Properties LLC for property located at 5643
Enterprise Dr.
 - Victor II Partnership for property located at 201 N.
Washington Sq.

REFERRED TO THE CITY ATTORNEY AND REFERRED TO
THE CITY ASSESSOR AND REFERRED TO THE COMMITTEE
ON DEVELOPMENT AND PLANNING

- d. Letter with pictures from Robert Gray of 422 Dadson Dr.
stating concerns with constructions barrels, uncut grass and
vacant homes at various locations

*SUSPENSION ITEM-REFERRED TO THE MAYOR AND REFERRED
TO THE COMMITTEE ON PUBLIC SAFETY

REMARKS BY COUNCILMEMBERS

Councilmember Dunbar gave her condolences to the family of Jerry
Squier, the family of George Loomis and the family of Bill Carter.

Councilmember Quinney thanked all the Councilmembers for helping
him get through the City's budget process.

Councilmember Wood gave her condolences to Rev. Bicy for the loss of
his son last week. She thanked the general public for all their calls,
letters, and e-mails regarding the City's budget.

President Leeman announced that there will not be a Committee of the
Whole meeting this week. He spoke about the Memorial Day Parade on
Saturday.

REMARKS BY THE MAYOR OR EXECUTIVE ASSISTANT

Jerry Ambrose, Executive Assistant to Mayor Bernero, thanked the City
Council for their work on the City's budget and also thanked the staff of
the Finance Department for their work. He addressed incorrect
statements made about the Zoo allegedly losing its accreditation. He
spoke about the importance of selling the property around the Riverfront.

ADJOURNED TIME 9:41 P.M.

CHRIS SWOPE, CITY CLERK



**OFFICIAL PROCEEDINGS OF
THE CITY COUNCIL
CITY OF LANSING
PROCEEDINGS OF MAY 31, 2007**

(ATPA)

City Council Chambers
Lansing, Michigan

The City Council of the City of Lansing met in regular session and was called to order at 7:00 p.m. by President Leeman.

PRESENT: Councilmembers Allen, Jeffries, Leeman, Matt, Quinney, Wood

ABSENT: Councilmembers Dunbar and Kaltenbach

The Council observed a moment of Meditation followed by the Pledge of Allegiance led by President Leeman

APPROVAL OF MINUTES

By Councilmember Jeffries

To approve the printed Council Proceedings of May 14 and 21, 2007 and the corrected proceedings of April 30 and May 7, 2007

Motion carried

CONSIDERATION OF LATE ITEMS

By Vice President Jeffries

To suspend City Council Rule #11 to allow for Consideration of Late Items

Motion carried

The following items were added to the agenda:

1. From Councilmember Jeffries; Letter from the Mayor re: Appointment of Gabrielle Haskins to the Planning Board for an At-Large Term to Expire June 30, 2011
2. From Councilmember Jeffries; Letter from the Mayor re: Appointment of Dave Keeney to the Telecommunications and Cable Advisory Board for a Term to Expire June 30, 2011
3. From Councilmember Jeffries; Letter from the Mayor re: Appointment of Cynthia Ward to the Park Board for an At Large Term to Expire June 30, 2010
4. From Councilmember Jeffries; Letter from the Mayor re: Appointment of Jessica Decker Principal Shopping District Board of Directors for a Term to Expire June 30, 2008
5. From Councilmember Jeffries; Letter from the Mayor re: Appointment of Robert Trezise Principal Shopping District Board of Directors for a Term to Expire June 30, 2011
6. From Councilmember Matt; Letter from Alan Swain, Associate Director of Capital Area Center for Independent Living stating concerns with the future traffic circle on Michigan Avenue
7. From Councilmember Wood; Transfer of Funds; State/Federal Programs, Auto Theft Prevention Authority

TABLED ITEMS

SPECIAL CEREMONIES

- Special Ceremonies

There were no Special Ceremonies

COUNCILMEMBERS' COMMENTS AND CITY CLERK'S ANNOUNCEMENTS:

Councilmember Matt announced that the Michigan Mile is this Saturday and any 3rd Ward kids 13 and under interested in participating in this event can meet him at the east gate to get a voucher to run at no cost.

City Clerk Swope announced that Absentee Voter applications have been mailed out and those on the list should be receiving them over the next few days.

SPEAKER REGISTRATION FOR PUBLIC COMMENT

(Clerk Swope announced that the public comment registration form(s) for those intending to address Council on legislative or City government matters will be collected and that only those persons who have fully completed the form(s) will be permitted to speak.)

MAYOR'S COMMENTS

Jerry Ambrose, Executive Assistant to the Mayor, spoke about the events taking place this coming weekend in Lansing. He said the events include the Cooley 5 K race that will take place on Friday evening at 7:30 p.m. He said that a portion of the proceeds from this event will go to local schools. He said that the annual Mayor's River Walk event will take place on Saturday at 10:00 a.m. and will begin at the Zoo and end at the Turner Dodge House. He spoke about a new celebration that will take place in Old Town called Colors of Salsa. He said the 13th Annual Be A Tourist in Your Own Town is Saturday and passports are \$1.00. He spoke about the Hawk Island Triathlon that will take place on Sunday at 8:00 a.m.

SHOW CAUSE HEARINGS

- Comment on Scheduled Show Cause Hearings:

There were no Show Cause Hearings

PUBLIC COMMENT ON LEGISLATIVE MATTERS

- Public Comment on Legislative Matters:

There were no Public Hearings included under Legislative Matters.

John Pollard of 1718 Blair spoke about concerns that he has with the lack of information provided for all of the Make Safe or Demolish orders.

Darnell E. Oldham Sr. of 3815 Berwick Dr spoke about the lack of information that is given to the residents about things that are on Council agenda.

Christine Timmon of 2519 Washington spoke in support of the transfer of funds request for training Police Officers.

PUBLIC COMMENT

ON CITY GOVERNMENT RELATED MATTERS:

Stan Shuck of 818 Cooper spoke about various city matters.

Willy Williams of P O Box 11042 spoke about various issues related to Cable Access grants.

Darnell E. Oldham Sr. of 3815 Berwick Dr spoke about various city matters.

Frank S. Curtis X of 1137 West Allegan spoke about various city matters.

John Pollard of 1718 Blair spoke about various city matters.

Christine Timmon of 2519 Washington spoke about various city matters.

LEGISLATIVE MATTERS

RESOLUTIONS

RESOLUTION#188

BY THE COUNCILMEMBER SANDY ALLEN
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Lansing Code Compliance Officer has declared a certain structure (dwelling) at **926 Just-A-Mere Ave. Parcel # 3301.05.10.351.231 and Legal Description: Lot 45 Just-A-Mere Farm Sub** to be an unsafe and dangerous building and requested the property owner be ordered to demolish or otherwise make safe the structure; and

WHEREAS, The Code Compliance Officer red tagged the said structure on **November 8, 2006**, and requested the property owner be ordered to demolish or otherwise make safe the structure; and

WHEREAS, on **January 25, 2007**, the Lansing Demolition Board held a special meeting to consider and make a recommendation on whether to declare the structure a dangerous building, as defined in the Housing Law of Michigan (MCLA 125.539) and the Lansing Housing and Premises Code (1460.09) to order the property owner to make safe or demolish the structure; and

WHEREAS, the Code Compliance Office has determined that compliance with the order of the Lansing Demolition Hearing Board officer has not occurred; and

WHEREAS, the Housing Law of Michigan and the Housing and Premises Code require that a hearing be conducted to give the property owner an opportunity to show cause why a dangerous structure should not be demolished or otherwise made safe; and

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council hereby schedules a show cause hearing for **Monday, July 2, 2007, at 7:00 p.m.** in the Lansing City Council Chambers, 10th Floor City Hall, 124 W. Michigan, Lansing, Michigan in consideration of the finding and order of the Lansing Demolition Hearing Board Officer regarding the

structure at **926 Just-A-Mere**; to give the owner, or the owner's agent, the opportunity to appear and show cause why the building should not be demolished or otherwise made safe; and to approve, disapprove, or modify the order of the hearing officer to demolish or make safe the subject structure.

BE IT FINALLY RESOLVED that the Lansing City Council requests that the Manager of Code Compliance notify the owner of said property of the opportunity to appear and present testimony at the hearing, as required by law.

By Councilmember Allen

Motion Carried

RESOLUTION#189

BY THE COUNCILMEMBER SANDY ALLEN
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Lansing Code Compliance Officer has declared a certain structure (dwelling) at **3325 Felt St. Parcel # 3301.01.04.108.111 and Legal Description: Lots 55 & 56 Fairfield Gardens Sub** to be an unsafe and dangerous building and requested the property owner be ordered to demolish or otherwise make safe the structure; and

WHEREAS, The Code Compliance Officer red tagged the said structure on **June 7, 2006**, and requested the property owner be ordered to demolish or otherwise make safe the structure; and

WHEREAS, on **March 22, 2007**, the Lansing Demolition Board held a special meeting to consider and make a recommendation on whether to declare the structure a dangerous building, as defined in the Housing Law of Michigan (MCLA 125.539) and the Lansing Housing and Premises Code (1460.09) to order the property owner to make safe or demolish the structure; and

WHEREAS, the Code Compliance Office has determined that compliance with the order of the Lansing Demolition Hearing Board officer has not occurred; and

WHEREAS, the Housing Law of Michigan and the Housing and Premises Code require that a hearing be conducted to give the property owner an opportunity to show cause why a dangerous structure should not be demolished or otherwise made safe; and

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council hereby schedules a show cause hearing for **Monday, July 2, 2007, at 7:00 p.m.** in the Lansing City Council Chambers, 10th Floor City Hall, 124 W. Michigan, Lansing, Michigan in consideration of the finding and order of the Lansing Demolition Hearing Board Officer regarding the structure at **3325 Felt St.**; to give the owner, or the owner's agent, the opportunity to appear and show cause why the building should not be demolished or otherwise made safe; and to approve, disapprove, or modify the order of the hearing officer to demolish or make safe the subject structure.

BE IT FINALLY RESOLVED that the Lansing City Council requests that the Manager of Code Compliance notify the owner of said property of the opportunity to appear and present testimony at the hearing, as required by law.

By Councilmember Allen

Motion Carried

RESOLUTION#190

BY THE COUNCILMEMBER SANDY ALLEN
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Lansing Code Compliance Officer has declared a certain structure (dwelling) at **1561 Roosevelt Ave. Parcel # 3301.01.08.228.591 and Legal Description: Lot 181 Knollwood Park** to be an unsafe and dangerous building and requested the property owner be ordered to demolish or otherwise make safe the structure; and

WHEREAS, The Code Compliance Officer red tagged the said structure on **August 15, 2001**, and requested the property owner be ordered to demolish or otherwise make safe the structure; and

WHEREAS, on **January 25, 2007**, the Lansing Demolition Board held a special meeting to consider and make a recommendation on whether to declare the structure a dangerous building, as defined in the Housing Law of Michigan (MCLA 125.539) and the Lansing Housing and Premises Code (1460.09) to order the property owner to make safe or demolish the structure; and

WHEREAS, the Code Compliance Office has determined that compliance with the order of the Lansing Demolition Hearing Board officer has not occurred; and

WHEREAS, the Housing Law of Michigan and the Housing and Premises Code require that a hearing be conducted to give the property owner an opportunity to show cause why a dangerous structure should not be demolished or otherwise made safe; and

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council hereby schedules a show cause hearing for **Monday, July 2, 2007, at 7:00 p.m.** in the Lansing City Council Chambers, 10th Floor City Hall, 124 W. Michigan, Lansing, Michigan in consideration of the finding and order of the Lansing Demolition Hearing Board Officer regarding the structure at **1561 Roosevelt Ave.**; to give the owner, or the owner's agent, the opportunity to appear and show cause why the building should not be demolished or otherwise made safe; and to approve, disapprove, or modify the order of the hearing officer to demolish or make safe the subject structure.

BE IT FINALLY RESOLVED that the Lansing City Council requests that the Manager of Code Compliance notify the owner of said property of the opportunity to appear and present testimony at the hearing, as required by law.

By Councilmember Allen

Motion Carried

RESOLUTION#191

BY THE COUNCILMEMBER SANDY ALLEN
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Lansing Code Compliance Officer has declared a certain structure (dwelling) at **1414 Prospect St. Parcel # 3301.01.15.407.321 and Legal Description: N 25 Ft of W 60 Ft of E 180 Ft Lot 1 Assessors Plat No. 18 Also Outlot B & E 6.75 Ft. Lot 58 & W 3.25 Ft. Lot 59 Ludwig Park Sub** to be an unsafe and dangerous building and requested the property owner be ordered to demolish or otherwise make safe the structure; and

WHEREAS, The Code Compliance Officer red tagged the said structure on **October 23, 2006**, and requested the property owner be ordered to demolish or otherwise make safe the structure; and

WHEREAS, on **December 7, 2006**, the Lansing Demolition Board held a special meeting to consider and make a recommendation on whether to declare the structure a dangerous building, as defined in the Housing Law of Michigan (MCLA 125.539) and the Lansing Housing and Premises Code (1460.09) to order the property owner to make safe or demolish the structure; and

WHEREAS, the Code Compliance Office has determined that compliance with the order of the Lansing Demolition Hearing Board officer has not occurred; and

WHEREAS, the Housing Law of Michigan and the Housing and Premises Code require that a hearing be conducted to give the property owner an opportunity to show cause why a dangerous structure should not be demolished or otherwise made safe; and

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council hereby schedules a show cause hearing for **Monday, June 25, 2007, at 7:00 p.m.** in the Lansing City Council Chambers, 10th Floor City Hall, 124 W. Michigan, Lansing, Michigan in consideration of the finding and order of the Lansing Demolition Hearing Board Officer regarding the structure at **1414 Prospect St.**; to give the owner, or the owner's agent, the opportunity to appear and show cause why the building should not be demolished or otherwise made safe; and to approve, disapprove, or modify the order of the hearing officer to demolish or make safe the subject structure.

BE IT FINALLY RESOLVED that the Lansing City Council requests that the Manager of Code Compliance notify the owner of said property of the opportunity to appear and present testimony at the hearing, as required by law.

By Councilmember Allen

Motion Carried

RESOLUTION#192

BY THE COUNCILMEMBER SANDY ALLEN
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Lansing Code Compliance Officer has declared a certain structure (dwelling) at **1223 N. Capitol Ave. Parcel # 3301.01.09.327.131 and Legal Description: Lot 3 Block 30 Orig Plat** to be an unsafe and dangerous building and requested the property owner be ordered to demolish or otherwise make safe the structure; and

WHEREAS, The Code Compliance Officer red tagged the said structure on **February 4, 2002**, and requested the property owner be ordered to demolish or otherwise make safe the structure; and

WHEREAS, on **December 7, 2006**, the Lansing Demolition Board held a special meeting to consider and make a recommendation on whether to declare the structure a dangerous building, as defined in the Housing Law of Michigan (MCLA 125.539) and the Lansing Housing and Premises Code (1460.09) to order the property owner to make safe or demolish the structure; and

WHEREAS, the Code Compliance Office has determined that compliance with the order of the Lansing Demolition Hearing Board officer has not occurred; and

WHEREAS, the Housing Law of Michigan and the Housing and Premises Code require that a hearing be conducted to give the property owner an opportunity to show cause why a dangerous structure should not be demolished or otherwise made safe; and

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council hereby schedules a show cause hearing for **Monday, June 25, 2007, at 7:00 p.m.** in the Lansing City Council Chambers, 10th Floor City Hall, 124 W. Michigan, Lansing, Michigan in consideration of the finding and order of the Lansing Demolition Hearing Board Officer regarding the structure at **1223 N. Capitol Ave.**; to give the owner, or the owner's agent, the opportunity to appear and show cause why the building should not be demolished or otherwise made safe; and to approve, disapprove, or modify the order of the hearing officer to demolish or make safe the subject structure.

BE IT FINALLY RESOLVED that the Lansing City Council requests that the Manager of Code Compliance notify the owner of said property of the opportunity to appear and present testimony at the hearing, as required by law.

By Councilmember Allen

Motion Carried

RESOLUTION#193

BY THE COMMITTEE ON WAYS & MEANS
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

That the following FY 2007 transfer be approved:

State/Federal Programs

AMOUNT TO TRANSFER	TRANSFER FROM ACCOUNT #	TRANSFER TO ACCOUNT #
\$30,034.55	Estimated State Revenue 273.0573000.14316	
\$30,034.55		State/Fed Project #A302 - Training 273.343212.747000.14316

(To provide for Lansing Police Department police officer training under the auspices of state Public Act 302 [as amended]. This is a distribution of the second semi-annual payment from the state).

By Councilmember Wood

Motion Carried

RESOLUTION#194

BY THE COMMITTEE ON WAYS AND MEANS
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the State Court Administrative Office (SCAO) administers the Michigan Drug Court Grant Program (MDCGP), providing funding for the operation of local courts' specialty court programs, including Sobriety Courts; and

WHEREAS, the 54-A District Court used MDCGP grant funds to implement and operate its initial Sobriety Court in FY06; and

WHEREAS, the Sobriety Court provides an opportunity for repeat drunk driving offenders to participate in a program focused on accountability, treatment and rehabilitation, with the ultimate goal of a reduction in recidivism; and

WHEREAS, the Honorable District Court Judge Louise Alderson was certified by the US Department of Justice to operate such a sobriety program, then developed and operated the 54-A District Court's first sobriety court under the FY06 MDCGP, and will continue to operate the Sobriety Court program contingent upon the availability of sufficient funds; and

WHEREAS, the State of Michigan qualifies a local share of the civil case filing fee revenue for the specific purpose of funding local drug courts, including sobriety courts; and

WHEREAS, the Sobriety Court program participants pay a local participant fee to the District Court as a condition for joining the treatment and monitoring program; and

WHEREAS, the District Court will monitor participant progress, and conduct process evaluations, to determine the efficacy of the Sobriety Court program;

NOW, THEREFORE, BE IT RESOLVED, the Lansing City Council authorizes the District Court to apply for and accept a \$23,000 renewal grant (\$20,000 State, \$3,000 Local Cash) from the Michigan Drug Court Grant Program for the fiscal period ending September 30, 2007, administered by the State Court Administrative Office, for the purpose of operating part of the District Court Sobriety Court program.

BE IT FINALLY RESOLVED, that the Lansing City Council hereby authorizes the Administration to apply for a renewal grant from the Michigan Drug Court Grant Program and the acceptance of the grant, and authorizes the creation of the appropriate accounts, and transfer all funds administratively for the expenditure and control of the balance of the project funds.

By Councilmember Wood

Motion Carried

RESOLUTION#195

BY THE COMMITTEE ON WAYS & MEANS
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

That the following FY 2007 transfer be approved;

State/Federal Programs

AMOUNT TO TRANSFER	TRANSFER FROM ACCOUNT #	TRANSFER TO ACCOUNT #
\$20,000.00	State Court Administrative Office 273.0547000.17790	
\$3,000.00	Project Participant Fees 273.0648001.17790	
\$20,000.00		Sobriety Court Project Salaries 273.132201.702000.17790
\$3,000.00		Sobriety Court Project Misc Operating 273.132201.741000.17790

(To provide appropriations for the District Court's "Sobriety Court" project for the fiscal year period ending September 30, 2007. The "Sobriety Court" is a renewal grant from the State Court Administrative Office (SCAO) with zero local government match.)

By Councilmember Wood

Motion Carried

RESOLUTION#196

BY THE COMMITTEE ON WAYS AND MEANS
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the City of Lansing desires to encourage and support shopping and commercial activity in the Principal Shopping District area by public improvement to develop, redevelop, promote economic activity and provide for the maintenance, security and operation of the Principal Shopping District by such public improvement which especially benefits any property within a district; and

WHEREAS, the City of Lansing desires to encourage promotional efforts, business recruitment in all zones and physical improvements and maintenance services (in zone "A") of the Principal Shopping District; and

WHEREAS, the City of Lansing has determined that this should be provided through special assessment zones established for the purpose of financing Principal Shopping District activities; and

WHEREAS, the City of Lansing has determined that the cost of providing such services should be recovered by a special assessment against properties especially benefited as authorized by Act No. 120 of the Public Acts of 1961, as amended, and Chapters 812 and 1026 of the Lansing Code of Ordinances; and

WHEREAS, the City of Lansing has reviewed the proposed special assessment boundaries; and

WHEREAS, the City of Lansing has also reviewed the proposed services within the boundaries with an estimated cost of these services,

NOW, THEREFORE, BE IT RESOLVED that the special assessment zones for the Principal Shopping District are established by City Council as follows:

Principal Shopping District: Beginning at the intersection of West right-of-way line of S. Capitol Avenue and the north right-of-way line of W. St. Joseph Street, "Point of Beginning," North along S. Capitol Avenue right-of-way line to the center-line of W. Washtenaw Street, west along the center-line of W. Washtenaw Street to the center-line of Townsend Street, north along the center-line of Townsend Street to the center-line of W. Allegan Street, then east along the W. Allegan Street center-line to the center-line of S. Capitol Avenue, north along the S. Capitol Avenue center-line to the center-line of W. Saginaw Street, east along the W. Saginaw Street center-line to the west right-of-way line of N. Washington Avenue, north along the N. Washington Avenue right-of-way line to the north right-of-way line of W. Grand River Avenue, east along the W. Grand River Avenue right-of-way line to the west right-of-way line of Turner Street, north along the Turner Street right-of-way line to the north right-of-way line of Clinton Street, east along Clinton Street right-of-way to the east right-of-way line of Center Street, south along the Center Street right-of-way line to the north right-of-way line of Liberty Street, east along the Liberty Street right-of-way line to the center-line of N. Cedar Street, south along the N. Cedar Street center-line to the south right-of-way line of East Grand River Avenue, east along the E. Grand River Avenue right-of-way line to the west right-of-way line of N. Larch Street, south along the N. Larch Street right-of-way line to the center-line of E. Shiawassee Street, east along the E. Shiawassee Street center-line to the west right-of-way line of the Conrail right-of-way, south along the Conrail right-of-way line to the south right-of-way line of E. Michigan Avenue, west along the E. Michigan Avenue right-of-way to the east right-of-way line of S. Larch Street, south along the S. Larch Street right-of-way line to the center-line of E. Kalamazoo Street, then west along E. Kalamazoo Street center-line to the center-line of S. Larch Street, then south along the S. Larch Street center-line to the north right-of-way line of St. Joseph Street (extended), west along the St. Joseph Street right-of-way line (extended) to the Point of Beginning.

The Principal Shopping District, as described herein, shall contain zones as described below:

Zone A: Beginning at the intersection of the center-line of W. Shiawassee Street and the center-line of N. Capitol Avenue, the "Point of Beginning - A", east along the center-line of Shiawassee Street to the west right-of-way line of the Conrail right-of-way, south along the Conrail right-of-way line to the center-line of E. Michigan Avenue, west along the center-line of E. Michigan Avenue to the center-line of S. Cedar Street, south along the S. Cedar Street center-line to the center-line of E. Kalamazoo Street, west along the E. Kalamazoo Street center-line to the center-line of Museum Drive, northwesterly along the center-line of Museum Drive to the north line of Impression Five Condominium (extended), west along the said north line of Impression Five Condominium (extended) to the center-line of the Grand River, southeasterly along the center of the Grand River to the center-line of E. Kalamazoo Street, continuing along the center-line of E. Kalamazoo Street to the center-line of Grand Avenue, south along the Grand Avenue center-line to the center-line of W. Lenawee Street, west along the W. Lenawee Street center-line to the west right-of-way line of S. Capitol Avenue, north along the west right-of-way line of S. Capitol Avenue to W. Washtenaw street, west along the centerline of W.

Washtenaw Street to the centerline of Townsend Street, north along the centerline of Townsend Street to the centerline of W. Allegan Street, then east along the W. Allegan Street center-line of W. Allegan Street to the center-line of S. Capitol Avenue, north along the S. Capitol Avenue center-line to the Point of Beginning -A.

Zone B: Beginning at the intersection of west right-of-way line of N. Washington Avenue and the north right-of-way line of W. Grand River Avenue, the "Point of Beginning - B," east along the W. Grand River right-of-way line to the west right-of-way line of Turner Street, north along the Turner Street right-of-way line to the north right-of-way line of Clinton Street, east along the Clinton Street right-of-way line to the east right-of-way line of Center Street, south along the Center Street right-of-way line to the north right-of-way line of Liberty Street, east along the Liberty Street right-of-way line to the center, line of N. Cedar Street, south along the N. Cedar Street center-line to the center-line of E. Maple Street, west along E. Maple Street center-line (as aligned) to the west right-of-way line of N. Washington Avenue, north along the N. Washington Avenue right-of-way line to the Point of Beginning -B.

Zone C - North: Beginning at the intersection of the center-line of N. Capitol Avenue and the center-line of W. Shiawassee Street, the "Point of Beginning - C (North)," north along the N. Capitol Avenue center-line to the center-line of W. Saginaw Street, east along the W. Saginaw Street center-line to west right-of-way line of N. Washington Avenue, north along the N. Washington Avenue right-of-way line to the center-line of E. Maple Street, east along E. Maple Street (as aligned) center-line to the center-line of N. Cedar Street, north along the N. Cedar Street center-line to the south right-of-way line of E. Grand River Avenue, east along the E. Grand River Avenue right-of-way line to the west right-of-way line of N. Larch Street, south along the N. Larch Street right-of-way line to the center-line of E. Shiawassee Street, west along the E. Shiawassee Street Center-line to the Point of Beginning - C (North).

Zone C - South: Beginning at the intersection of the west right-of-way line of S. Capitol Avenue and the center-line of W. Lenawee Street, the "Point of Beginning - C (South)," east along the W. Lenawee Street center-line to the center-line of Grand Avenue, north along Grand Avenue center-line to the center-line of E. Kalamazoo Street, east along the Kalamazoo Street center-line to the center of the Grand River, northwesterly along the center-line of the Grand River to the north line of Impression Five Condominium (extended), east along the north line of Impression Five Condominium (extended) to the center-line of Museum Drive, southeasterly along the center-line of Museum Drive to the center-line of E. Kalamazoo Street, east along the Kalamazoo Street center-line to the center-line of S. Cedar Street, north along the Cedar Street center-line to the center-line of E. Michigan Avenue, east along the E. Michigan Avenue center-line to the west right-of-way line of the Conrail right-of-way, south along the Conrail right-of-way line to the south right-of-way line of E. Michigan Avenue, then west along the E. Michigan Avenue right-of-way line to the east right-of-way line of S. Larch Street, south along the S. Larch Street right-of-way line to the center-line of E. Kalamazoo Street, west along the E. Kalamazoo Street center-line to the center-line of S. Larch Street, south along the S. Larch Street center-line to the north right-of-way line of St. Joseph Street (extended), west along the St. Joseph Street right-of-way line (extended) to the west right-of-way line of S. Capitol Avenue, then north along the S. Capitol Avenue right-of-way to the Point of Beginning - C (South).

BE IT FURTHER RESOLVED, that the Principal Shopping District public improvements and services be supported by a special assessment of these costs against the properties especially benefited as follows:

ZONE A - 13.2 cents per square foot for first floor and 6 cents per square foot for second floors and above, parking structures at the rate of 4.8 cents per square foot for the main floors and 2.4 cents per square foot for second floors and above, parking lots at 4.8 cents per

square foot, vacant land at 1.2 cents per square foot, and industrial & manufacturing properties at 2.4 cents per square foot for the first floor and 1.2 cents per square foot for second floors and above; for a total of \$395,157.96.

ZONE B - 9.2 cents per square foot for first floor and 3.45 cents per square foot for second floors and above, parking structures at the rate of 4.6 cents per square foot for the main floors and 2.3 cents per square foot for second floors and above, parking lots at 4.6 cents per square foot, vacant land at 1.15 cents per square foot, and industrial & manufacturing properties at 2.3 cents per square foot for the first floor and 1.15 cents per square foot for second floors and above; for a total of \$22,542.70.

ZONE C (North & South) - 2 cents per square foot for first floor and 1 cent per square foot for second floors and above, parking structures at the rate of 2 cents per square foot for the main floors and 1 cent per square foot for second floors and above, parking lots at 2 cents per square foot, vacant land at 1 cent per square foot, and industrial & manufacturing properties at 2 cents per square foot for the first floor and 1 cent per square foot for second floors and above; for a total of \$29,285.75.

BE IT FURTHER RESOLVED that the cost and expense of making estimates, plans and assessments incidental to the preparation of the assessment and the role, and providing notices shall be included in the expense of the assessment.

BE IT FURTHER RESOLVED that the Principal Shopping District public improvement and services be financed by a special assessment of these costs against the properties especially benefited as contained in the assessment Roll No. PSD07-APSD07-B/PSD07-C, compiled by the City Assessor and presented to Council with this resolution.

BE IT FURTHER RESOLVED that in zones "A," "B," and "C" (North & South), all property owners whose assessment would otherwise exceed \$10,000.00 per one parcel, shall be capped at no more than \$10,000.00 per one parcel on an annual basis.

BE IT FURTHER RESOLVED that in zones "A," "B," and "C" (North & South), any property owned by a non-profit entity which as received a Federal IRS Section 501(c)(3) non-profit designation shall have their property assessment capped at 40% of the proposed assessment rate; provided that said entity shall file with the City Assessor, not later than August 13, 2007 a written application for non-profit Principal Shopping District designation, together with a copy of said determination of IRS Section 501 (c)(3) status.

BE IT FURTHER RESOLVED that a public hearing be held on June 18, 2007 at 7:00 p.m. in the City Council Chamber, 10th Floor City Hall, Lansing, Michigan to consider the establishment of the Principal Shopping District special assessment roll.

BE IT FURTHER RESOLVED that the City Clerk publish notice of the hearing to confirm the special assessment roll in a newspaper of general circulation at least 10 (ten) days prior to the date of the hearing.

BE IT FINALLY RESOLVED that the notice to the affected owners of the properties in said district be given in accordance with Chapter 1026 of the Lansing Code of Ordinances.

By Councilmember Wood

Motion Carried

**THIS ITEM WAS PULLED FROM THE AGENDA
THE RESOLUTION WAS NOT RECEIVED FOR PLACEMENT IN
THE CITY COUNCIL PACKET**

Grant Applications; Department of Housing and Urban Development (HUD) for Continuum of Care Homeless Assistance Supportive Housing Program

RESOLUTION#197

BY THE COMMITTEE ON WAYS & MEANS
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

That the following FY 2007 transfers be approved:

State/Federal Program

AMOUNT TO TRANSFER	TRANSFER FROM ACCOUNT #	TRANSFER TO ACCOUNT #
\$90,127.00	Estimated ATPA State Revenue 273.0543002.17078	
\$30,042.00	GF Operating Transfer 273.0696101.17078	
\$58,846.00		State/Fed Project ATPA Salaries 273.343240702000.17078
\$4,413.00		State/Fed Project ATPA Overtime 273.343240703000.17078
\$49,208.00		State/Fed Project ATPA Benefits 273.343240715000.17078
\$1,202.00		State/Fed Project ATPA Misc Op 273.343240741000.17078
\$6,500.00		State/Fed Project ATPA Vehicles 273.343240745000.17078

(To authorize and accept the \$120,169 calendar year 2007 grant from the state Auto Theft Prevention Authority, aka ATPA.)

By Councilmember Wood

Motion Carried

REPORTS FROM COUNCIL COMMITTEES

There were no Committee Reports

ORDINANCES FOR INTRODUCTION

There were no Ordinances for Introduction

ORDINANCES FOR PASSAGE

There were no Ordinances for Passage

REPORTS FROM CITY OFFICERS, BOARDS, AND COMMISSIONS; COMMUNICATIONS AND PETITIONS; AND OTHER CITY RELATED MATTERS

By Councilmember Jeffries that all items be considered as being read in full and that President Leeman make the appropriate referrals

Motion Carried

• Reports from City Officers, Board and Commissions:

- Letter from the City Clerk recommend Bethlehem Temple Church and Letts Community Center be reinstated as Polling Places

REFERRED TO THE COMMITTEE OF THE WHOLE

- Letter from the City Clerk submitting minutes of Boards

and Authorities placed on file in the City Clerk's Office

RECEIVED AND PLACED ON FILE

c. Letters from the Mayor re:

- i. Sole Source Purchase; Public Service Department request for:
 - Design Craftsmen as the vendor for the purchase of Kiosks
 - Sho-Rack as the vendor for newspaper racks

REFERRED TO THE COMMITTEE ON WAYS AND MEANS AND INTERNAL AUDIT

- ii. Transfer of Funds; City Clerk Temporary Help

REFERRED TO THE COMMITTEE ON WAYS AND MEANS AND INTERNAL AUDIT

- iii. Transfer of Funds; Emergency Shelter Grant Program

REFERRED TO THE COMMITTEE ON WAYS AND MEANS AND INTERNAL AUDIT

- iv. Amendment to Principal Shopping District (PSD) Special Assessment Resolution

REFERRED TO THE COMMITTEE ON WAYS AND MEANS AND INTERNAL AUDIT

- v. Applications for Neighborhood Enterprise (NEZ) Zone Certificates filed by Richard Karp on Behalf of River North Condominium Association for property located at 220 East Grand River Ave. Unit # 201, 202, 203, 301, 302, 401, and 402

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

- vi. Public Improvement I/II/III/IV; Special Assessment A- 390 P.S. #37079 Construction of Storm Sewer for 819 Eureka St., excepting all public streets and alleys and other land deemed not benefited, and waiver of Public Hearing

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

- vii. Appointment of Gabrielle Haskins to the Planning Board for an At-Large Term to Expire June 30, 2011

*SUSPENSION ITEM-REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

- viii. Appointment of Dave Keeney to the Telecommunications and Cable Advisory Board for a Term to Expire June 30, 2011

*SUSPENSION ITEM-REFERRED TO THE COMMITTEE ON GENERAL SERVICES

- ix. Appointment of Cynthia Ward to the Park Board for an At Large Term to Expire June 30, 2010

*SUSPENSION ITEM-REFERRED TO THE COMMITTEE ON PUBLIC SERVICES

- x. Appointment of Jessica Decker Principal Shopping District Board of Directors for a Term to Expire June 30, 2008

*SUSPENSION ITEM-REFERRED TO THE COMMITTEE ON PUBLIC SERVICES

- xi. Appointment of Robert Trezise Principal Shopping District Board of Directors for a Term to Expire June 30, 2011

*SUSPENSION ITEM-REFERRED TO THE COMMITTEE ON PUBLIC SERVICES

• Communications and Petitions, and Other City Related Matters:

- a. Letters from the State of Michigan Department of Treasury providing notice of the issuance of Neighborhood Enterprise Zone Certificates for property located at:

- 625 S. Grand Ave., Unit #7
- 620 Cherry St., Unity #17
- 1315 Turner St.
- 707 Prudden St., Apt. #101, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 314, 315, 316, 317, 318, 319, 320, 321, 323, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, and 342

REFERRED TO THE PLANNING AND DEVELOPMENT DEPARTMENT AND REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

- b. Michigan Tax Tribunal Appeals filed by attorneys and representatives on behalf of:

- Capital Center Associates LLC, for property located at 110 W. Michigan Ave.
- Lansing Towers, for property located at 610 W. Ottawa St.
- Texas Roadhouse, for property located at 280 E. Edgewood Blvd.
- Woodbridge Apartments Limited Partnership for property located at 501 E. Edgewood Blvd.

REFERRED TO THE CITY ATTORNEY AND REFERRED TO THE CITY ASSESSOR AND REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

- c. Invoice from the National League of Cities for membership dues for the period August 1, 2007 – July 31, 2008

REFERRED TO THE FINANCE DEPARTMENT

- d. Letter from Alan Swain, Associate Director of Capital Area Center for Independent Living stating concerns with the future traffic circle on Michigan Avenue

*SUSPENSION ITEM-REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

MOTION OF EXCUSED ABSENCE

By Councilmember Allen

To excuse Councilmembers Dunbar and Kaltenbach

Motion Carried

REMARKS BY COUNCILMEMBERS

Councilmember Wood stated that over the past weekend she attended programs at the Black Child and Family Institute and meet a very nice young man named Eric and she hoped that he was having a good day today.

Councilmember Allen stated that she attended the Art Leadership program held at Potter Park Zoo and was impressed to see all the young kids in the program.

President Leeman spoke about the construction in downtown. He asked the administration to look into traffic issues at Grand River and Pennsylvania due to construction. He stated that the Code Compliance Dept. was behind in getting some lawns mowed that have been neglected by homeowners. He said that they are now being mowed by the Public Service Dept. and they are behind roughly 2 weeks.

**REMARKS BY THE MAYOR
OR EXECUTIVE ASSISTANT**

Jerry Ambrose, Executive Assistant to the Mayor, reminded everyone about all of the great events taking place in Lansing this weekend. He stated that Sycamore Golf Course is now a driving range and is open. He stated that a partnership with Lansing School District is working on a South Side Community Center and how such a partnership with Ingham County has benefited the zoo. He encouraged residents to have patience with the orange construction barrels.

ADJOURNED TIME 2:37 P.M.

CHRIS SWOPE, CITY CLERK



**OFFICIAL PROCEEDINGS OF
THE CITY COUNCIL
CITY OF LANSING
PROCEEDINGS OF JUNE 4, 2007**

City Council Chambers
Lansing, Michigan

The City Council of the City of Lansing met in regular session and was called to order at 7:00 p.m. by President Leeman.

PRESENT: Councilmembers Allen, Jeffries, Leeman, Matt, Quinney, Wood

ABSENT: Councilmembers Kaltenbach and Dunbar (arrived at 7:14pm)

The Council observed a moment of Meditation followed by the Pledge of Allegiance led by President Leeman

CONSIDERATION OF LATE ITEMS

By Vice President Jeffries

To suspend City Council Rule #11 to allow for Consideration of Late Items

Motion carried

The following items were added to the agenda:

1. From Councilmember Jeffries; Public Improvement I/II/III/IV; Special Assessment A- 390 P.S. #37079 Construction of Storm Sewer for 819 Eureka St., excepting all public streets and alleys and other land deemed not benefited
2. From Councilmember Allen; Letter from Gary Andrews of 560 Brookland Blvd. regarding alleged harassment

TABLED ITEMS

SPECIAL CEREMONIES

- Special Ceremonies

1. Proclamation; Recognition of Dr. Elizabeth Turpin upon her Retirement, for 52 years of service to the Lansing School District

Mayor Bernero was pleased to present this proclamation to Dr. Turpin and thanked her for her 52 wonderful years of service and dedication to Lansing Schools.

Dr. Turpin thanked the Mayor and said that she is honored to have been able to give 52 years to the Lansing Schools and the Lansing Community. She thanked her family and husband for their support. She thanked her friend and secretary Kim Cantu and Barbara Fuller, who is her teacher in charge when she is out of the building for their support. She said that she will miss everyone and most importantly, she will miss the students.

COUNCILMEMBER DUNBAR ARRIVED AT THE MEETING

2. Tribute; Recognition of the Juneteenth Committee and the

14th Annual Juneteenth Celebration

Councilmember Wood thanked the committee for all of their hard work in putting this event together each year and encouraged the community to support this wonderful event.

City Clerk Swope read the following resolution:

RESOLUTION#198

BY COUNCILMEMBER CAROL WOOD
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, June 19, 1865 coined as "Juneteenth" is of great historical significance and is the oldest African American Holiday; and

WHEREAS, it was on June 19, 1865, that news of the Emancipation Proclamation, which President Lincoln signed on January 1, 1863, reached the slaves of Texas; and

WHEREAS, learning of their freedom, this day of June 19, 1865 became the true Independence Day of African-Americans ending slavery in the United States; and

WHEREAS, the slaves immediately left the plantations, congregated in the cities and began celebrating their freedom by praying, feasting, dancing, and singing; and

WHEREAS, Juneteenth is now an official state holiday in 15 states across the country; and

WHEREAS, the 142nd Juneteenth Anniversary Campaign is a 10-year initiative which will focus on assessment, education and acknowledgement of African American progress since 1865 - culminating with the 150th Juneteenth Anniversary; and

WHEREAS, Isabella, born a slave, in 1797, Sojourner Truth chose her new name soon after she left slavery, and traveled the country speaking passionately about the evils of slavery and advocated strongly for the equal rights of women. She settled in Michigan in 1857, where she inspired many to work in support of human rights issues; and

NOW, THEREFORE, BE IT RESOLVED, that the Lansing City Council extends our appreciation to Sojourner Truth for her dedication and encouragement to human rights issues.

BE IT FURTHER RESOLVED the Lansing City Council recognizes June 19th as Juneteenth Day and encourages everyone to participate in the 14th Juneteenth Anniversary Campaign and wishes good fortune with the next 10-year initiative.

By Councilmember Wood

Motion Carried

Mayor Bernero stated that this great event helps to show that Lansing believes in diversity and education. He invited everyone to come down and see exactly what takes place at this event.

Marilyn Plummer thanked the Mayor and City Council for their support. She explained the reason for the Juneteenth celebration. She introduced Committee members Rev. A. Richard Doss of the Mask Memorial Church, Shirley Carter, and Doris Carlice and stated

that more information is available online at www.lansingjunteenthcelebration.org. The kickoff will be June 16 on the Capitol Steps.

Rev. Doss stated that activities will take place at the St. Joe Park.

3. Presentation; Recognition of the 2007 PAC-MAC Spelling Bee Winners

Councilmember Allen was excited to see all 26 students from schools that participated in the spelling bee. She said these amazing students worked very hard for this honor and that there are a lot of proud parents out there tonight.

Mayor Bernero congratulated all the kids for the great job that they did. He thanked all the teachers and adults involved and stated that these kids are going places.

4. Presentation; Recognition of City of Lansing Retirees

President Leeman was proud to present Victor Lootens with a certificate of appreciation for 19 years of service to the City of Lansing and its residents and thanked him for all of his hard work over the past 19 years.

Jerry Ambrose congratulated Victor on a job well done and said that it is folks like him that make the City a great place to live and work.

Victor Lootens thanked the City Council and the Mayor for this honor and thanked the citizens for allowing him to serve them. He said that he has enjoyed his 19 years at the Wastewater Treatment Plant and will miss everyone there.

COUNCILMEMBERS' COMMENTS AND CITY CLERK'S ANNOUNCEMENTS:

Councilmember Dunbar thanked all of the departments and volunteers who assisted with the 1st Annual Hawk Island Triathlon this past weekend. She said it was a great event and that the turnout was so overwhelming that many were turned away. She said the age range was from 10 years to 81 years old and that the 3 winners were from the Lansing Area.

Councilmember Quinney congratulated his brother Carlas, his wife, and their son, CJ, for the outstanding job that CJ has done with Big Brothers Big Sisters and for receiving the "Heroes In Our Midst Award."

Councilmember Allen announced that the next four Committee of the Whole meetings will be focusing on the Housing Ordinance only. She said that Public Safety Committee will be meeting on Wednesday at 2:00 p.m.

Vice President Jeffries stated that the Committee on Development and Planning will be meeting on Wednesday at 10:00 a.m. instead of 12:00 p.m.

City Clerk Swope stated that applications for Absentee Ballots have gone out to citizens on the permanent Absentee Voter list and that we are up to almost 6,000 voters on that list. He said we are anticipating being able to send out the ballots some time this month.

SPEAKER REGISTRATION FOR PUBLIC COMMENT

(Clerk Swope announced that the public comment registration form(s) for those intending to address Council on legislative or City government matters will be collected and that only those persons who have fully completed the form(s) will be permitted to speak.)

MAYOR'S COMMENTS

Mayor Bernero congratulated Clerk Swope on the job he has done on building up the Absentee Voter list. He spoke about all the events that took place in Lansing over the weekend. He congratulated everyone who worked on all the events. He spoke about the community greenhouse at Hunter Park. He thanked the IBEW for their time in helping with the greenhouse. He spoke about the grand opening of nine new businesses in Old Town. He spoke about items on tonight's agenda.

SHOW CAUSE HEARINGS

Comment on Scheduled Show Cause Hearings:

1. In consideration of the issuance of orders for Make Safe or Demolish to the owners of property located at 1520 Ballard St.
2. In consideration of the issuance of orders for Make Safe or Demolish to the owners of property located at 1522 Ballard St.

Councilmember Allen gave a brief overview of both of the properties.

Michael Christle of 1520 Ballard St stated that he was the owner of the property and he is working on updated it. He is requesting that the City give him additional time to finish his work.

Naomi Christle of 1520 Ballard St requested that the Council give her and her husband additional time to complete the updates. She said they are working on it but it is going to take more time.

Dale Palacios of 1522 Ballard St stated that he is the owner of this property and he has been working on the property. He said that he has pulled all the permits but just needs more time to complete the work.

PUBLIC COMMENT ON LEGISLATIVE MATTERS

Public Comment on Legislative Matters:

Legislative Matters included the following public hearing:

1. In consideration of an application for an Obsolete Property Rehabilitation Act (OPRA) Certificate filed by PresVan, LLC for property located at 1820 Sunset Ave. and 2025 Melvin Ct

Vice President Jeffries gave a brief overview of the Public Hearing

John Pollard of 1718 Blair spoke in support of the OPRA request filed by PresVan. He also spoke about concerns that he has with the changes to the voting locations.

Darnell E. Oldham Sr of 3815 Berwick Dr spoke in support the PresVan OPRA request. He also spoke about the changes to the Polling locations.

REFERRAL OF SHOW CAUSE HEARINGS AND PUBLIC HEARINGS

1. In consideration of the issuance of orders for Make Safe or Demolish to the owners of property located at 1520 Ballard St.

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

2. In consideration of the issuance of orders for Make Safe or Demolish to the owners of property located at 1522 Ballard St.

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

1. In consideration of an application for an Obsolete Property Rehabilitation Act (OPRA) Certificate filed by PresVan, LLC for property located at 1820 Sunset Ave. and 2025 Melvin Ct

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

**PUBLIC COMMENT
ON CITY GOVERNMENT RELATED MATTERS:**

Michael Morofsky of 1300 Woodbine Ave spoke about concerns with a Railroad Crossing. He also spoke about some lawns that are in need of mowing.

Bob Gray of 422 Dadson spoke about various city matters.

Robert Ovalle of 638 S. Foster spoke about various city matters.

Richard Clement of 900 Long Blvd spoke about the Lansing Fire Department.

Stan Shuck of 818 Cooper spoke about various city matters.

Frank S. Curtis X of 1137 West Allegan spoke about various city matters.

John Pollard of 1718 Blair spoke about various city matters.

Ammahad-Shekarakki of 902 W. Willow spoke about the need to honor Malcolm X.

Russell Terry of 121 E. Mt. Hope spoke about a recycling fee that he feels he is due.

Darnell E. Oldham Sr of 3815 Berwick Dr spoke about various city matters.

Timothy Elmore of 1226 W. Edgewood Blvd spoke about various city matters.

Willie Davis of 1136 Shepard spoke about various city matters.

Don Dean of 1321 E. North St spoke about various city matters.

LEGISLATIVE MATTERS

RESOLUTIONS

RESOLUTION#199

BY THE COMMITTEE OF THE WHOLE
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, following recommendations from community members, City Clerk Chris Swope has recommended the following changes to Lansing's Polling Places; and

WHEREAS, these locations meet the required criterion under Michigan Election Law; and

WHEREAS, Bethlehem Temple Church and Letts Community Center

have served as Polling Places for the City of Lansing; and

NOW, THEREFORE, BE IT RESOLVED that Bethlehem Temple Church, 1500 S. Washington Ave., is assigned as the Polling Place for Ward 1, Precinct 4 effective immediately; and

BE IT FURTHER RESOLVED that Letts Community Center, 1220 W. Kalamazoo Street, is assigned as the Polling Place for Ward 4, Precinct 9 effective immediately.

By Councilmember Jeffries

Motion Carried

RESOLUTION#200

BY COMMITTEE ON PUBLIC SERVICES
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

PUBLIC IMPROVEMENT I / II / III / IV

WHEREAS, CSO construction will be occurring on Eureka Street between Hosmer Street and Eight Street which will remove and replace to current standards the existing sanitary sewer; and

WHEREAS, the Public Service Department reviewed this section of Eureka Street for storm sewer and determined that the construction of a storm sewer in this section was not needed to adequately drain the street; and

WHEREAS, the Public Service Department received from William Stelmach a request for a storm sewer service lead for his property at 819 Eureka Street; and

WHEREAS, the Public Service Department determined that in order to provide storm sewer service to 819 Eureka Street, a new storm sewer in Eureka Street would need to be constructed; and

WHEREAS 819 Eureka Street would be the only property benefiting from new storm sewer; the other properties in the 800 block of Eureka Street not needing storm sewer service leads at this time; and

WHEREAS, the Public Service Department requests, pursuant to Chapter 1026 of the Code of Ordinances that the construction of this public storm sewer, known as the 800 BLOCK EUREKA STORM SEWER CONSTRUCTION, P.S. 37079, be determined by City Council to be a necessary public improvement; and

WHEREAS, the 800 BLOCK EUREKA STORM SEWER can be added as a change order to the CSO 023 Sewer Separation Contract; and

WHEREAS, William Stelmach, the only beneficiary of Assessment Roll Number A390, has waived the need for a public hearing for assessment roll, which is as follows:

PROJECT TITLE: 800 Block Eureka Storm Sewer – PS # 37079

PROPERTIES BENEFITTED: 819 Eureka Street. Excepting all public streets and alleys and other land deemed not benefitted, and

COST OF IMPROVEMENTS:

Assessment Roll Number A-390	City Contribution	Assessable to Property Owner
Storm Sewer Costs	\$0.00	\$28,951.57
Other Costs	\$0.00	0.00
Total Costs	\$0.00	\$28,951.57

NOW, THEREFORE, BE IT RESOLVED that the City Council hereby determines it to be of a public necessity to construct the following

public improvements:

Storm Sewer for 819 Eureka Street. Excepting all public streets and alleys and other land deemed not benefitted, and

BE IT FURTHER RESOLVED that the cost of these improvements is to be financed by special assessment to the benefitted property owner, and that the interest rate be set at 5.0%,

BE IT FINALLY RESOLVED that special assessment roll number A-390 as returned by the City Assessor, be ratified and confirmed, and the Mayor is authorized to affix within ten days his warrant directing the City Treasurer to collect said tax within 90 days after the approval of the assessment roll.

I hereby certify that funds are available for the City of Lansing's share of said project in accounts as follows:

<u>Account Number</u>	
Assessment Roll A-390 \$ 28,951.57	404-933690-973000-42263

By Councilmember Jeffries

Motion Carried

REPORTS FROM COUNCIL COMMITTEES

There were no Committee Reports

ORDINANCES FOR INTRODUCTION

There were no Ordinances for Introduction

ORDINANCES FOR PASSAGE

There were no Ordinances for Passage

REPORTS FROM CITY OFFICERS, BOARDS, AND COMMISSIONS; COMMUNICATIONS AND PETITIONS; AND OTHER CITY RELATED MATTERS

By Councilmember Jeffries that all items be considered as being read in full and that President Leeman make the appropriate referrals

Motion Carried

• Reports from City Officers, Board and Commissions:

- a. Letter from the City Clerk submitting minutes of Boards and Authorities placed on file in the City Clerk's Office

RECEIVED AND PLACED ON FILE

- b. Letters from the Mayor re:

- i. Application for an Obsolete Property Rehabilitation Act (OPRA) District filed by International Association of Heat & Frost Insulators Local 47 for property located at 906 Terminal Rd.

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

- ii. Grant Acceptance; Certified Local Government Grant for Downtown National Register District Nomination

REFERRED TO THE COMMITTEE ON WAYS AND MEANS AND THE INTERNAL AUDITOR

- iii. Grant Application; Justice Assistance

REFERRED TO THE COMMITTEE ON WAYS AND MEANS AND THE INTERNAL AUDITOR

- iv. Request for Waiver of the Provisions of the Noise Ordinance contained in Chapter 654 of the Code of Ordinances filed by the City of Lansing Public Service Department to allow for construction on Washington Sq. between Ottawa St. and Shiawassee St. from 6:00 a.m. to 9:00 p.m. Monday through Saturday and 8:00 a.m. to 6:00 p.m. on Sunday

REFERRED TO THE COMMITTEE OF THE WHOLE

• Communications and Petitions, and Other City Related Matters:

- a. Letter from the State of Michigan Department of Treasury providing notice of the Revocation of Neighborhood Enterprise Zone (NEZ) Certificate #N2001-074 issued to Ny-Mac Enterprises for property located at 210 S. Washington Sq.

REFERRED TO THE PLANNING AND DEVELOPMENT DEPARTMENT AND REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING AND REFERRED TO THE ECONOMIC DEVELOPMENT CORPORATION

- b. Michigan Tax Tribunal Appeals filed by representatives on behalf of :
 - Big Sky Development Lansing, LLC for property located at 708 E. Grand River Ave., and parcels on Case St., Case St., Case St., E. Grand River Ave., and Ballard St.
 - Michigan State Employees Associates for property located at 6035 Executive Dr.
 - 3301 East Michigan Partnership for property located at 3301 and 3315 E. Michigan Ave.
 - GBT Properties LLC for property located at 5601 Enterprise Dr.
 - GBT Properties LLC for property located at 5615 Enterprise Dr.
 - Mich Cty Rd Comm Ins Pool for property located as 417 N. Seymour Ave.

REFERRED TO THE CITY ATTORNEY AND REFERRED TO THE CITY ASSESSOR AND REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

- c. Letter from Troy Clarke of 1213 Climax St. appealing the Denial of a Special Assessment claim

REFERRED TO THE CITY ATTORNEY AND REFERRED TO THE COMMITTEE ON GENERAL SERVICES

- d. Letter from Dr. Willie D. Davis, Jr. of All Around the African World Museum located at 1134-1136 Shepard St. stating concerns with Walsh Park

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES AND REFERRED TO THE PARKS DEPARTMENT

- e. Letter from Gary Andrews of 560 Brookland Blvd. regarding alleged harassment

*SUSPENSION ITEM-REFERRED TO THE CITY ATTORNEY AND
REFERRED TO THE COMMITTEE ON PUBLIC SAFETY AND
REFERRED TO THE LANSING POLICE DEPARTMENT

MOTION OF EXCUSED ABSENCE

By Councilmember Allen

To excuse Councilmember Kaltenbach from tonight's proceedings

Motion Carried

REMARKS BY COUNCILMEMBERS

Councilmember Dunbar stated that these are difficult budgetary times. She said that bringing back a contract company to do the mowing of yards was discussed, but Council chose to keep the work with City employees. She stated that the employees are readjusting to this and need some additional time to get a pace going and that everyone needs to be patient with the new process.

Councilmember Allen stated that Sycamore Golf Course was supposed to be open June 1. She asked Mr. Ambrose if he could please find out why it is not opened yet.

President Leeman addressed comments that were made by a speaker this evening about not calling 911. He said that it is important for everyone to know that if you have an emergency to call 911. He reminded everyone that the next 4 Committee of the Whole meetings will be discussing the Housing Ordinance.

Councilmember Dunbar asked the administration if they could please clarify the fees that were established for emergency services.

REMARKS BY THE MAYOR OR EXECUTIVE ASSISTANT

Jerry Ambrose, Executive Assistant to Mayor Bernero, stated that Sycamore Golf Course is a driving range now and that it would be open in June but he will have a report ready for the next Committee meeting. He spoke about the back log on the mowing issue.

ADJOURNED TIME 9:13 P.M.

CHRIS SWOPE, CITY CLERK



**OFFICIAL PROCEEDINGS OF
THE CITY COUNCIL
CITY OF LANSING
PROCEEDINGS OF JUNE 11, 2007**

City Council Chambers
Lansing, Michigan

The City Council of the City of Lansing met in regular session and was called to order at 7:00 p.m. by President Leeman.

PRESENT: Councilmembers Allen, Jeffries, Leeman, Matt, Quinney, Wood

ABSENT: Councilmembers Kaltenbach and Dunbar (Arrived at 7:17PM)

The Council observed a moment of Meditation followed by the Pledge of Allegiance led by President Leeman

APPROVAL OF MINUTES

By Councilmember Jeffries

To approve the printed Council Proceedings of May 31 and June 4, 2007

Motion carried

CONSIDERATION OF LATE ITEMS

By Vice President Jeffries

To suspend City Council Rule #11 to allow for Consideration of Late Items

Motion carried

The following items were added to the agenda:

1. From Councilmember Jeffries; Letter from Carl Calille, Transportation and Parking Steward of UAW local 2256 regarding management's proposed walk of parking enforcement routes.
2. From Councilmember Allen; Electronic message from Ryan Taber, no address, given stating concerns with the conditions of the Rivertrail

TABLED ITEMS

SPECIAL CEREMONIES

- Special Ceremonies

1. Tribute; Slow Down to Get Around Awareness Rally

City Clerk Swope read the following Resolution:

RESOLUTION#201

BY COUNCILMEMBER CAROL WOOD

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the residents of the City of Lansing must rely upon vehicles to provide basic essential services, solid waste collection and other public and private transportation services; and

WHEREAS, it is necessary that such service vehicles utilize public roads and right of ways in order to provide these services, and in the course of providing such services, there are occasions when these service vehicles must remain stopped for periods of time; and

WHEREAS, there has recently been a significant number of accidents within the State of Michigan resulting from inattentive drivers, causing rear-end collisions and more, resulting in property damage and/or personal injury and too often loss of life; and

WHEREAS, it is the policy of the City of Lansing to promote public safety within the municipality and to raise public awareness of potential public safety risks; and

WHEREAS, the transportation service industry has developed the "SLOW DOWN TO GET AROUND" program which encourages drivers to be aware of stopped service vehicles and to pass such vehicles in a safe manner; and

WHEREAS, the City of Lansing supports the "SLOW DOWN TO GET AROUND" campaign, reflecting the aims of this life saving program.

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council encourages all persons driving within the municipality to operate their vehicles in a careful manner when both approaching and passing service vehicles;

BE IT FURTHER RESOLVED that a copy of this Resolution shall be forwarded to the City of Lansing's local law enforcement agency and shall be posted in a prominent location for a period of not less than thirty (30) days.

By Councilmember Wood

To accept a substitute resolution for the one originally placed in the packet

Motion Carried

By Councilmember Wood

To place an affirmative roll on the substitute resolution

Motion Carried

Councilmember Wood stated this is the 2nd year that Council has been involved in this program. She said that refuse collection is ranked third in the United States as the most dangerous job and this is our opportunity to be aware of those vehicles and the workers that are out there and to pay more attention to them.

Brian O'Boyle, Safety Officer for the City of Lansing, said this is a community support program and there will be a rally at the NCG Cinemas on Lake Lansing Road on Wednesday. He said, on average there is one person killed every day by a vehicle were the driver was not paying attention.

Jerry Ambrose, Executive Assistant to the Mayor, said it is important that every driver slowdown and pay more attention to what is taking place around them.

2. Tribute; 90th Birthday of the Kiwanis Club of Lansing

City Clerk Swope read the following Resolution:

RESOLUTION#202

BY COUNCILMEMBER CAROL WOOD
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Kiwanis Club of Lansing was chartered on June 7, 1917, two years after the first Kiwanis Club chartered in Detroit; and

WHEREAS, the Club's first President was Alva M. Cummins, who later became Governor for the Michigan District; and

WHEREAS, subsequent Presidents of the Club included some of the luminary figures in Lansing business: Jay Sexton, Joseph Knapp, Louis Kostichek, Joseph Alexanian, and Walter Patenge; and

WHEREAS, a current member of the Club, Miller Perry, will celebrate his 100th birthday, less than one week after the club's 90th birthday; and

WHEREAS, another current club member, Harold Krause, will complete his 52nd year of perfect attendance later this year; and

WHEREAS, Larry Pingel is the current President of the Club, Jim Kost is President-elect, and Clarence Smith is Vice-President; and

WHEREAS, the Kiwanis Club has served the Lansing community by initiating many valuable service projects, including the creation of Camp Kiwanis in Mason, the awarding of scholarships for the Lansing School District High school graduates, the distribution of Thanksgiving meals to various public housing complexes, and the distribution of dictionaries to all third grade students in the Lansing School District; and

WHEREAS, the Club has supported existing Lansing community projects through monetary donations and man hours; including the Safety Patrol Picnic, the Hawk Island Playground, the Ronald McDonald House, Meals on Wheels, the American Red Cross, the Lansing Food Bank, Silver Bells in the City, the Girls and Boys Clubs, and the Boy Scouts and Girl Scouts; and

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, wishes to recognize the Kiwanis Club of Lansing for its sponsorship and participation in so many of Lansing's community projects and extend a "heartfelt thank" you to its members for their dedication to improving the quality of life for Lansing residents. Congratulations to the Kiwanis Club of Lansing on the celebration of their 90th Birthday! We wish you continued success!

By Councilmember Wood

Motion Carried

Councilmember Dunbar arrived at the meeting

Councilmember Wood was honored to present this tribute to the Kiwanis Club for their 90th Birthday. She said the folks who volunteer at the Kiwanis are such dedicated people to the City of Lansing and its communities.

Councilmember Allen congratulated the Kiwanis organization on their 90th Birthday.

Jerry Ambrose, Executive Assistant to the Mayor, congratulated the Kiwanis on their 90th Birthday and hopes they will be around for another 90 years.

Larry Pingel, Lansing Kiwanis Club President, thanked the Mayor and City Council for this honor and said the club's primary focus is the kids and the communities and looks forward to continuing on serving the City

of Lansing for another 90 years.

3. Tribute; Denise Griffin for her dedicated service to the City of Lansing

Acting Chief Deputy City Clerk Reeves read the following Resolution:

RESOLUTION#203

BY COUNCILMEMBER HAROLD LEEMAN
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Denise Griffin began her tenure with the City of Lansing as a temporary employee in the Code Compliance Department in 1985 where she met her husband, Kevin Reed; and

WHEREAS, in April of 1986, Denise was hired as a part time Intermediate Clerk 22 in the Parks and Recreation Department; and

WHEREAS, she became a full time City employee on June 15, 1986, as a Senior Clerk 23 in the Treasurer/Income Tax Office and later was promoted, on October 22, 1993, to Income Tax Examiner; and

WHEREAS, on December 15, 1997, Denise was promoted to Income Tax Auditor where she remained for the next five years until she was appointed, on January 2, 2002, as the Chief Deputy City Clerk in the office of the City Clerk; and

WHEREAS, Denise enjoys scrap-booking, shopping, and playing bingo, and her lighthearted sensibilities and quick-wittedness often inspire raucous laughter; and

WHEREAS, she and her husband, Kevin, are the proud parents of two beautiful children; Candace, who attends Lansing Community College and works for the Ingham County Clerk's Office; and Tyler, who is attending Central Michigan University and will be playing football for CMU in the fall; and

WHEREAS, Denise is an avid sports fan, a passion she has passed on to her children with enthusiasm as well as embracing the joy of attending every sporting game they played or participated in; and

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, wishes to thank Denise Griffin for dedicating 21 years of service to the City of Lansing. Congratulations on your retirement! We wish you a happy, healthy retirement and continued success in all of your future endeavors!

BE IT FINALLY RESOLVED that Denise will be missed by her friends and co-workers at the City of Lansing.

By Councilmember Leeman

To accept a substitute resolution for the one originally placed in the packet

Motion Carried

By Councilmember Leeman

To place an affirmative roll on the substitute resolution

Motion Carried

President Leeman said we are losing a member of our family here at Council and in the City Clerk's Office. He said we wanted to honor Denise because she has been a big help to all of the City Council.

Mayor Bernero congratulated Denise on her retirement and said she will be dearly missed and we have enjoyed working with her on many projects.

City Clerk Swope said it is bittersweet to see Denise go. He said when he took office she agreed to stay on as his Deputy, but she made it clear that she would be eligible to retire on June 15, 2007 and she planned to do so. He said that he has enjoyed working with her and on a personal note she will be missed by everyone in the office as well as many citizens here tonight and at home. He thanked Denise for all of her years of service, particularly the last year and a half in the Clerk's Office.

Denise Griffin thanked the Mayor and City Council for these honors. She introduced her family, husband Kevin, children Candace and Tyler. She thanked her family for all the support that they have given her over the years. She said that she has enjoyed working for the City. She thanked Clerk Swope for the support that he has given her and it was a blessing to have him as a boss. She said that the citizens of Lansing got it right when they voted him into office.

4. Tribute; Recognition of Carlos "C.J." Quinney Jr. for his accomplishments as a Big Brother mentor and receiving the Heroes in our Midst Award

City Clerk Swope read the following Resolution:

RESOLUTION#204

BY COUNCILMEMBER DERRICK QUINNEY
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Carlos Quinney, Jr. grew up loving to play football and dreaming of being a football star, but, unbeknownst to him, was headed on a journey toward becoming a local hero; and

WHEREAS, after being injured by a chance accident while playing football during his senior year at Sexton High in 2001, Carlos reignited his vision of being a mentor to young children; and

WHEREAS, Carlos recalls sitting on his couch and watching a commercial for Big Brothers Big Sisters of America and realizing his next step in life would be mentoring those children who didn't have the same benefits he enjoyed; and

WHEREAS, when he turned 18 years old, Carlos was matched with Marton Benson, a shy 8 year old struggling student, for his first mentoring experience; and

WHEREAS, C.J. helped Marton, now 14, break out of his shell of shyness to become a student with good grades at Dwight Rich Middle School and find him to have many things in common; and

WHEREAS, acting as a big brother, C. J. realizes helping young children, in particular, Marton, is much more fulfilling than any football game he had played or would have played; and

WHEREAS, the Michigan Capital Region of the Big Brothers Bit Sisters program has realized Carlos Quinney, Jr. as a extremely valuable mentor and has honored him for his qualities and accomplishments as a mentor;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council commends Carlos Quinney, Jr. for his outstanding dedication to mentoring local youth and congratulates him on his outstanding performance and honor to be presented the "Hero in Our Midst" award. We wish him success on all future endeavors.

By Councilmember Quinney

Motion Carried

Councilmember Quinney said CJ is his nephew and it is an honor to present him with this tribute for his involvement with community services for the City of Lansing.

Mayor Bernero was pleased to join Councilmember Quinney in honoring

CJ tonight. He said CJ is an outstanding citizen and he has made a difference in many people's lives.

President Leeman congratulated CJ on behalf of the City Council.

CJ Quinney thanked the Mayor, Council and his uncle for this honor. He said when he started to mentor in his senior year of high school he did not set out to receive any awards or anything. He said his goal was to make a difference and change a life if he could. He said that he encourages everyone to get involved somehow, someway.

5. Tribute; Congratulating the Church of God International Outreach Ministries on their new location

Councilmember Quinney was happy to present this tribute to Pastor Bensen because they have been a huge part of this community for many years. He said they have done so many things for Lansing and its residents. He thanked Pastor Bensen for everything that he has done to make Lansing a better place to live and work.

City Clerk Swope read the following Resolution:

RESOLUTION#205

BY COUNCILMEMBER DERRICK QUINNEY
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, born and raised in Lansing, Pastor Charles Benson comes from a family of seven siblings, whose roots were firmly established in his late grandfather's church, the Maple Street Church of God; and

WHEREAS, Pastor Charles Benson received the vision for the Church of God International Outreach Ministries in 2004, and he and his wife, Co-Pastor, Jannet, held their first worship service in the living room of their home with 20 people in January 2005; and

WHEREAS, established as an Apostolic-Prophetic Deliverance Ministry, this non-denominational church is recognized as a "cutting edge" ministry within the community. Word spread quickly about the "in your face" approach to the Gospel, and the attendance grew so rapidly that services were moved to a local hotel conference center; and

WHEREAS, the diverse congregation of the Church of God International Outreach is wholly committed to teaching, preaching, and demonstrating the truth of God's Word; and

WHEREAS, the purpose and mission of a the Church of God International Outreach Ministries is to "win the lost" at any cost, impact the lives of people, and cause men and women to experience a breakthrough in their hearts; to have ears to hear, minds to perceive, and hearts to receive "His" message, to become rooted and grounded, and established Believers in God; to step forth in all that the empowerment of the Holy Spirit represents and truly begin walking, speaking, and operating in a demonstration of the empowerment of the "Almighty God"; and

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, congratulates the Church of God International Outreach Ministries on their new location, 4125 W. St. Joseph. May God continue to bless and strengthen your ministry and all of your outreach endeavors.

By Councilmember Quinney

To accept a substitute resolution for the one originally placed in the packet

Motion Carried

By Councilmember Quinney

To place an affirmative roll on the substitute resolution

Motion Carried

Pastor Bensen thanked the Mayor, City Council and the City of Lansing for their support and said it has been an honor serving the community.

COUNCILMEMBERS' COMMENTS AND CITY CLERK'S ANNOUNCEMENTS:

Councilmember Matt congratulated Coachlight Commons on a wonderful neighborhood picnic they had over the weekend. He said they had a great turnout and it was just great to see everyone getting involved. He announced that the Pinebrook Association will be having their meeting on Thursday at 6:00 p.m. in the Clubhouse. He said Colonial Village Neighborhood Association will be having their neighborhood Garage Sale on Saturday.

Councilmember Wood announced that there will be a picnic on the lawn with the Michigan Women's Hall of Fame at Cooley Gardens on Wednesday at 5:30 p.m. and that tickets are \$25.00.

Councilmember Dunbar announced that the Sagamore Park and the Moores Park Garages Sales are on Saturday. The Sagamore Neighborhood will be having their picnic on Wednesday at 6:00 p.m.

Councilmember Quinney thanked the Public Service Department for doing repairs to Holmes Road.

City Clerk Swope reminded the people that are on the permanent absentee voter list to return their applications for their ballots if they have not already done so. He said that if you need one to call the Clerk's office at 483-4133 or to go online to the Clerk's website and print one off. He said that Michigan Election Law requires a signed application for every absentee ballot issued.

SPEAKER REGISTRATION FOR PUBLIC COMMENT

(Clerk Swope announced that the public comment registration form(s) for those intending to address Council on legislative or City government matters will be collected and that only those persons who have fully completed the form(s) will be permitted to speak.)

MAYOR'S COMMENTS

Mayor Bernero spoke about the Senior Activity Fair that will take place at Gardner Middle School on Thursday from 9:00 a.m. to 2:00 p.m. He spoke about the kick off for the "Blues On The Square" scheduled for Thursday night on the 200 Block of Washington Square from 6:00 p.m. to 10:00 p.m. He said the event will take place every Thursday except for the week of July 4th and during Common Ground. He spoke about the Juneteenth celebration. He spoke about items that are on the agenda this evening. He said that Scott House who is the Superintendent of O & M has been deployed to Iraq and that we wish him well and for a safe return.

SHOW CAUSE HEARINGS

- Comment on Scheduled Show Cause Hearings:

There were no Show Cause Hearings

PUBLIC COMMENT ON LEGISLATIVE MATTERS

- Public Comment on Legislative Matters:

Legislative Matters included the following public hearings:

1. In consideration of a Request for Waiver of the Provisions of the Noise Ordinance contained in Chapter 654 of the Code of Ordinances for Kamminga & Roodvoets, Inc. to work on Saturdays from 8:00 a.m. to 8:00 p.m. for construction activities in the CSO 018 Southeast Project Area
2. In consideration of a Request for Waiver of the Provisions of the Noise Ordinance contained in Chapter 654 of the Code of Ordinances for Kamminga & Roodvoets, Inc. to work on Saturdays from 8:00 a.m. to 8:00 p.m. for construction activities in the CSO 023 Project Area
3. In consideration of a Request for Waiver of the Provisions of the Noise Ordinance contained in Chapter 654 of the Code of Ordinances for Kamminga & Roodvoets, Inc. to work on Saturdays from 8:00 a.m. to 8:00 p.m., Monday through Friday from 8:00 p.m. to 10:00 p.m. and twenty-four (24) hours a day, seven days a week, for construction activities in the CSO Downtown - Kalamazoo/Seymour Street Project Area
4. In consideration of a Request for Waiver of the Provisions of the Noise Ordinance contained in Chapter 654 of the Code of Ordinances for E.T. MacKenzie to allow occasional work on Saturdays from 8:00 A.M. to 1:00 P.M. in the CSO 020 Area

John Pollard of 1718 Blair spoke in opposition to Comcast continuing to raise their fees. He spoke about concerns that he has with the noise waivers. He spoke in opposition to giving anything to ET Mackenzie until they fix the damage that they allegedly caused to a house on Center St.

Dru Vinson of 606 S. Fairview spoke about concerns that he has with the noise waivers. He spoke about the need for timelines when it comes to construction projects so work maybe completed in a timely fashion without having to get noise waivers.

Darnell E. Oldham Sr. of 3815 Berwick Dr questioned whether notices when out to the residents and businesses that the noise waivers will affect. He spoke in opposition to ET Mackenzie being allowed to do any work in City.

Don Dean of 1321 E. North St spoke about concerns that he has with the CSO work. He spoke about concerns with ET Mackenzie.

REFERRAL OF PUBLIC HEARINGS

1. In consideration of a Request for Waiver of the Provisions of the Noise Ordinance contained in Chapter 654 of the Code of Ordinances for Kamminga & Roodvoets, Inc. to work on Saturdays from 8:00 a.m. to 8:00 p.m. for construction activities in the CSO 018 Southeast Project Area

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

2. In consideration of a Request for Waiver of the Provisions of the Noise Ordinance contained in Chapter 654 of the Code of Ordinances for Kamminga & Roodvoets, Inc. to work on Saturdays from 8:00 a.m. to 8:00 p.m. for construction activities in the CSO 023 Project Area

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

3. In consideration of a Request for Waiver of the Provisions of the Noise Ordinance contained in Chapter 654 of the

Code of Ordinances for Kamminga & Roodvoets, Inc. to work on Saturdays from 8:00 a.m. to 8:00 p.m., Monday through Friday from 8:00 p.m. to 10:00 p.m. and twenty-four (24) hours a day, seven days a week, for construction activities in the CSO Downtown – Kalamazoo/Seymour Street Project Area

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

4. In consideration of a Request for Waiver of the Provisions of the Noise Ordinance contained in Chapter 654 of the Code of Ordinances for E.T. MacKenzie to allow occasional work on Saturdays from 8:00 A.M. to 1:00 P.M. in the CSO 020 Area

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

PUBLIC COMMENT ON CITY GOVERNMENT RELATED MATTERS:

William Hubbell of 3916 Wedgewood spoke about the State Police post. He spoke about the upcoming Memorial Review Board Meeting.

Bob Gray of 422 Dadson spoke about various City matters.

Gary Andrews of 560 Brookland Blvd spoke about a neighborhood petition that he presented to Council.

Mike Sears of 16910 Blackwalnut, East Lansing, spoke about concerns that he has with the Housing Ordinance.

Ammahad-Shekarakki of 902 Willow asked the City Council to honor Malcolm X.

John Pollard of 1718 Blair spoke about various city matters.

Dru Vinson of 606 S. Fairview spoke about various city matters.

Darnell E. Oldham Sr of 3815 Berwick Dr spoke about various city matters.

Frank S. Curtis X of 1137 West Allegan spoke about various city matters.

Shirley Murray of 1720 Bradley spoke about some budget concerns. She also spoke about making Lansing a "green city" through environmentally friendly initiatives.

Don Dean of 1321 E. North St spoke about various city matters.

Charlene Decker of 2711 Pleasant Grove spoke about various city matters.

Belinda Fitzpatrick of 224 S. Holmes spoke about concerns with a property in the Foster and Kalamazoo area.

Carl Calille of 306 Harriet spoke about the importance of Employee Safety.

LEGISLATIVE MATTERS

RESOLUTIONS

RESOLUTION#206

BY COUNCILMEMBER CAROL WOOD
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Carmen Y. Turner was born in Rome, Georgia and moved to Detroit at four years old where she was raised; and

WHEREAS, in 1982, she was accepted at Michigan State University where she majored in and graduated with a B.A. in Marketing/Communications; and

WHEREAS, after graduation, Carmen returned to Detroit to take a position in corporate America at NBD Bank in their Management Training Program; and

WHEREAS, after seven years of hard work, Ms. Turner was promoted to Branch Manager for the Wayne State University Office and became involved in the Junior Achievement Program and other youth orientated programs in the community; and

WHEREAS, after leaving NBD, she went to work at Aurora Mental Health Hospital in Detroit where her focus was working with mentally challenged youth and was promoted to coordinating a partial day outpatient program for youth ages 16 to 21; and

WHEREAS, Ms. Turner worked with the program for ten years before deciding to return to Lansing to accept the position at the Boys & Girls Club; and

WHEREAS, she has always been active in the community and local organizations and participates and has memberships in Delta Sigma Theta Sorority, the PTA, the Lansing Rotary Club Board of Directors, the Michigan Non-Profit Association, the Michigan State Alliance, Blue Cross Blue Shield Advisory Committee, Capital Area United Way's Agency Relations Committee, and Co-founder of the Building Brighter Futures Children's Charity Fund; and

WHEREAS, in 2006, the Uplift Our Youth Foundation awarded Ms. Turner the "Youth Advocate of the Year" Award; and

WHEREAS, Carmen Turner is a dedicated Mother to her children, dedicated Daughter to her family, and dedicated to God and the principles of helping to bringing out the best in everyone she meets. Due to that spirit of love and giving to others, we declare June 7th Carmen Turner Day in the City of Lansing.

BE IT FINALLY RESOLVED that the Lansing City Council, hereby, wishes to extend its warmest thank you for her contributions and dedication to the Lansing community. We wish you a very Happy Birthday and continued success!

By Councilmember Wood

Motion Carried

RESOLUTION#207

BY THE COMMITTEE ON DEVELOPMENT AND PLANNING
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

Obsolete Property Rehabilitation Tax Exemption Certificate Approval, 1820 Sunset/2025 Melvin Ct.

WHEREAS, pursuant to the Michigan Obsolete Property Rehabilitation Act, being Public Act 146 of 2000 (PA 146 of 2000), PresVan LLC has filed an application for an Obsolete Property Rehabilitation Exemption Certificate (OPT Certificate) with the Lansing City Clerk, for a proposed obsolete facility at 1820 Sunset and 2025 Melvin Court, Lansing, Michigan (Obsolete Property); and

WHEREAS, PresVan LLC (the Developer) owns the proposed Obsolete Property; and

WHEREAS, the proposed Obsolete Property is located within an Obsolete Property Rehabilitation District legally established by resolution adopted April 23, 2007, after a public hearing was held, as provided by section 3 of PA 146 of 2000; and

WHEREAS, a public hearing was held on June 4, 2007 on the Developer's application for an OPT Certificate, after proper notice was made, pursuant to section 4(2) of PA 146 of 2000; and

WHEREAS, the Developer has represented and committed to the City to undertake, and complete not later than December 1, 2009, the rehabilitation, renovation, and reconstruction of the Obsolete Property into office, and retail commercial use throughout the structure;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council hereby approves of the issuance of an Obsolete Property Rehabilitation Exemption Certificate to PresVan LLC, for the Obsolete Property located at 1820 Sunset and 2025 Melvin Ct, Lansing, Michigan, legally described as:

COM 110 FT E OF NW COR LOT 37, TH N 199.58 FT, E 202.82 FT, S 199.58 FT, W 202.82 FT TO BEG; ALSO LOT 37 EXC W 110 FT; ASSESSOR'S PLAT NO 11

for the period of twelve (12) consecutive years.

BE IT FURTHER RESOLVED that the Lansing City Council, in approving the Developer's application by this resolution, finds and determines all of the following;

The taxable value of the property proposed to be exempt plus the aggregate taxable value of the property already exempt under PA 146 of 2000 and under Public Act 198 of 1974 (IFT's) does exceed five percent (5%) of the total taxable value of the City of Lansing

The applicant is not delinquent in any taxes related to the facility.

All of the items described on line 9 of the Application for Obsolete Property Rehabilitation Exemption Certificate have been provided to the City of Lansing by the applicant.

The application is for obsolete property as defined in section 2(h) of PA 146 of 2000.

The commencement of rehabilitation activities of the facility did not occur prior to the establishment of the Obsolete Properties Rehabilitation District.

The application relates to the rehabilitation program for the building located at 1820 Sunset and 2025 Melvin Ct., Lansing, Michigan and, when completed, will constitute a rehabilitated facility within the meaning of PA 146 of 2000 and the facility is situated within the Obsolete Property Rehabilitation District established by the City of Lansing, which is a Qualified Local Governmental Unit eligible under PA 146 of 2000 to establish such a district.

The completion of the rehabilitated facility is calculated to, and will at the time of issuance of the certificate, have the reasonable likelihood to, increase commercial activity, create some employment, and revitalize an urban area.

The rehabilitation includes improvements aggregating ten percent (10%) or more of the true cash value of the property at the commencement of the rehabilitation as provided by section 2(L) of PA 146 of 2000.

The rehabilitation must be completed not later than December 1, 2009 as evidence by the issuance of a Certificate of Occupancy from the City of Lansing Building Safety Office.

BE IT FINALLY RESOLVED that the City Clerk shall cause the Application for Obsolete Property Rehabilitation Certificate to be completed, including the "Clerk Certification" and shall file the completed application, together with a certified copy of this resolution with the State Tax Commission.

By Councilmember Jeffries

Motion Carried

RESOLUTION#208

BY THE COMMITTEE ON DEVELOPMENT AND PLANNING
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

Obsolete Property Rehabilitation Tax Exemption Certificate Approval,
319 E Grand River

WHEREAS, pursuant to the Michigan Obsolete Property Rehabilitation Act, being Public Act 146 of 2000 (PA 146 of 2000), 2nd Wave LLC has filed an application for an Obsolete Property Rehabilitation Exemption Certificate (OPT Certificate) with the Lansing City Clerk, for a proposed obsolete facility at 319 E Grand River, Lansing, Michigan (Obsolete Property); and

WHEREAS, 2nd Wave (the Developer) owns the proposed Obsolete Property; and

WHEREAS, the proposed Obsolete Property is located within an Obsolete Property Rehabilitation District legally established by resolution adopted March 26, 2007, after a public hearing was held, as provided by section 3 of PA 146 of 2000; and

WHEREAS, a public hearing was held on May 14, 2007 on the Developer's application for an OPT Certificate, after proper notice was made, pursuant to section 4(2) of PA 146 of 2000; and

WHEREAS, the Developer has represented and committed to the City to undertake, and complete not later than December 1, 2009, the rehabilitation, renovation, and reconstruction of the Obsolete Property into office, and retail commercial use throughout the structure;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council hereby approves of the issuance of an Obsolete Property Rehabilitation Exemption Certificate to Mr. Lingg Brewer, for the Obsolete Property located at 319 E Grand River, Lansing, Michigan, legally described as:

E 85 FT OF W 110 FT LOT 25 ASSESSORS PLAT NO 31 OF
BLOCK 6 ORIG PLAT.

for the period of twelve (12) consecutive years.

BE IT FURTHER RESOLVED that the Lansing City Council, in approving the Developer's application by this resolution, finds and determines all of the following;

The taxable value of the property proposed to be exempt plus the aggregate taxable value of the property already exempt under PA 146 of 2000 and under Public Act 198 of 1974 (IFT's) does exceed five percent (5%) of the total taxable value of the City of Lansing

The applicant is not delinquent in any taxes related to the facility.

All of the items described on line 9 of the Application for Obsolete Property Rehabilitation Exemption Certificate have been provided to the City of Lansing by the applicant.

The application is for obsolete property as defined in section 2(h) of PA 146 of 2000.

The commencement of rehabilitation activities of the facility did not occur prior to the establishment of the Obsolete Properties Rehabilitation District.

The application relates to the rehabilitation program for the building located at 319 E Grand River, Lansing, Michigan and, when completed, will constitute a rehabilitated facility within the meaning of PA 146 of 2000 and the facility is situated within the Obsolete

Property Rehabilitation District established by the City of Lansing, which is a Qualified Local Governmental Unit eligible under PA 146 of 2000 to establish such a district.

The completion of the rehabilitated facility is calculated to, and will at the time of issuance of the certificate, have the reasonable likelihood to, increase commercial activity, create some employment, and revitalize an urban area.

The rehabilitation includes improvements aggregating ten percent (10%) or more of the true cash value of the property at the commencement of the rehabilitation as provided by section 2(L) of PA 146 of 2000.

The rehabilitation must be completed not later than December 1, 2009 as evidence by the issuance of a Certificate of Occupancy from the City of Lansing Building Safety Office.

BE IT FINALLY RESOLVED that the City Clerk shall cause the Application for Obsolete Property Rehabilitation Certificate to be completed, including the "Clerk Certification" and shall file the completed application, together with a certified copy of this resolution with the State Tax Commission.

By Councilmember Jeffries

Motion Carried

RESOLUTION#209

BY THE DEVELOPMENT AND PLANNING COMMITTEE
RESOLUTION TO SET A PUBLIC HEARING REGARDING THE
ESTABLISHMENT OF AN OBSOLETE PROPERTY
REHABILITATION DISTRICT

906 Terminal Rd. – International Heat & Frost Insulators Local 47

WHEREAS, the intending purchaser of property located 906 Terminal Rd. in the City of Lansing, Michigan (the "Property") has requested in writing that the City of Lansing establish an Obsolete Property Rehabilitation District (the "District") as enabled by Public Act 146 of 2000, the "Obsolete Property Rehabilitation Act" (the "Act"), and

WHEREAS, the intending owner of the Property, International Association of Heat & Frost Insulators Local 47, is intending to become the legal owner of greater than fifty percent (50%) of all taxable value of the property located within the proposed District, and

WHEREAS, the property in question and the proposed boundary of the District is legally described as:

LOT 7 CAPITAL CITY WAREHOUSING SUB and,

WHEREAS, the Act requires that before establishing a District the Lansing City Council hold a public hearing in order to provide an opportunity for owners, residents or other taxpayers of the City of Lansing to appear and be heard regarding the establishment of the District.

NOW THEREFORE BE IT RESOLVED that a public hearing be held in the City Council Chambers of the City of Lansing, 10th Floor, Lansing City Hall, Lansing, Michigan, on the 2nd Day of July, 2007 at 7:00 p.m. for the purpose of receiving public comment on the establishment of an Obsolete Property Rehabilitation District under the provisions of Public Act 146 of 2000 and that the Clerk shall publish once in a publication of general circulation within the community a notice of the scheduled public hearing and that the notice appear not less than 10 or more than 30 days prior to the date of the hearing and that the Clerk also cause the owner of property within the proposed district to receive written notice of the public hearing to be delivered by certified mail.

By Councilmember Jeffries

Motion Carried

RESOLUTION#210

BY THE COMMITTEE OF DEVELOPMENT AND PLANNING
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

P-1-2007, McCrackin Plat
Valencia Boulevard
Tentative Preliminary Plat Approval

WHEREAS, the proprietor, Karrie McCrackin, has requested tentative preliminary plat approval to create 10 single family lots on the vacant, 2.563 acre parcel of land at the southwest end of Valencia Boulevard, and

WHEREAS, the property is zoned "A" Residential District, which district is appropriate for the proposed single family residential development with a net density of approximately 4 dwelling units per acre, and

WHEREAS, the Planning Board found, based on testimony, evidence and the staff report, that the proposed development includes all of the required information set forth in the Subdivision Regulations, and

WHEREAS the Lansing Planning Board, at its May 1, 2007 meeting, voted unanimously (3-0) to recommend approval of the tentative preliminary plat (P-1-2007), and

WHEREAS the Committee on Development and Planning of City Council has reviewed the report of the Planning Board and concurs therewith,

NOW THEREFORE BE IT RESOLVED that the City Council hereby approves the tentative preliminary plat (P-1-2007) for 10 single family residential lots on the 2.563 acre parcel of land at the southwest end of Valencia Boulevard.

By Councilmember Jeffries

Motion Carried

RESOLUTION#211

BY THE COMMITTEE ON PLANNING AND DEVELOPMENT
RESOLVED BY THE CITY COUNCIL OF THE CITY OF
LANSING

Z-1-2007
3811 Aurelius Road
"A" Residential District to "C" Residential District

WHEREAS, Robert Ford has requested a Zoning Map Amendment from "A" Residential District to "C" Residential District for the property located at 3811 Aurelius Road; and

WHEREAS, the purpose of the rezoning is to permit the building at 3811 Aurelius Road to be used for two residential units; and

WHEREAS, the Planning Board held a public hearing on March 6, 2007, at which the applicant spoke in favor of the request and one area resident expressed concerns about having a duplex at 3811 Aurelius Road; and

WHEREAS, the Planning Board, at its meeting held on April 3, 2007, voted unanimously (6-0) to recommend denial of the petition; and

WHEREAS, the Planning Board found, based on testimony, evidence, and the staff report that rezoning the property to "C" Residential District would be contrary to the future land use pattern being advanced in the Southeast Area Comprehensive Plan; and

WHEREAS, the Planning Board also found that the proposed rezoning would not be compatible with the existing land use and zoning patterns in the area; and

WHEREAS, the City Council held a public hearing on May 14, 2007; and

WHEREAS, the Committee on Planning and Development of Council has reviewed the request and the report of the Planning Board and concurs therewith;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council hereby denies the request (Z-1-2007) by Robert Ford for a Zoning Map Amendment from "A" Residential District to "C" Residential District for the property located at 3811 Aurelius Road for the reason that it would be contrary to the future land use plan for the area and would be incompatible with the surrounding land use and zoning patterns.

By Councilmember Jeffries

Motion Carried

RESOLUTION#212

BY THE COMMITTEE ON PUBLIC SERVICE
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING
WHEREAS, the Mayor has requested confirmation of the appointment of Cynthia Ward, 1345 Turner Street, Lansing, Michigan 48906 to an At Large seat on the Lansing Park Board for a term to expire June 30, 2010; and

WHEREAS, the Committee on Public Services met on June 6, 2007, and recommended confirmation of this appointment;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby confirms the Mayor's appointment of Cynthia Ward, 1345 Turner Street, Lansing, Michigan 48906 to an At Large seat on the Lansing Park Board for a term to expire June 30, 2010.

By Councilmember Dunbar

Motion Carried

Ms Ward took the Constitutional Oath of Office, administered by City Clerk Swope

RESOLUTION#213

BY THE COMMITTEE ON PUBLIC SERVICE
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Mayor has requested confirmation of the reappointment of Bob Trezise, 1705 Opaline, Lansing, Michigan 48917 to the Board of Directors of the Principal Shopping District representing the City of Lansing for a term to expire June 30, 2011; and

WHEREAS, the Committee on Public Services met on June 6, 2007, and recommended confirmation of this reappointment;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby confirms the Mayor's reappointment of Bob Trezise, 1705 Opaline, Lansing, Michigan 48917 to the Board of Directors of the Principal Shopping District representing the City of Lansing for a term to expire June 30, 2011.

By Councilmember Dunbar

Motion Carried

RESOLUTION#214

BY THE COMMITTEE ON PUBLIC SERVICES
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Mayor has requested confirmation of the reappointment of Dale Copedge, 1912 Hollyway, Lansing, Michigan 48910 to the 3rd Ward position on the Public Service Board for a term to expire June 30, 2011; and

WHEREAS, the Committee on Public Services met on June 6, 2007, and recommended confirmation of this reappointment;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby confirms the Mayor's reappointment of Dale Copedge, 1912 Hollyway, Lansing, Michigan 48910 to the 3rd Ward position on the Public Service Board for a term to expire June 30, 2011.

By Councilmember Dunbar

Motion Carried

RESOLUTION#215

BY THE COMMITTEE ON PUBLIC SAFETY
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Mayor has requested confirmation of the reappointment of Emmett Kelly, 3809 Lowcroft, Lansing, Michigan 48910 to the Master Plumber position of the Plumbing Board for a term to expire June 30, 2011; and

WHEREAS, the Committee on Public Safety met on June 6, 2007, and recommended confirmation of this reappointment;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby confirms the Mayor's reappointment of Emmett Kelly, 3809 Lowcroft, Lansing, Michigan 48910 to the Master Plumber position of the Plumbing Board for a term to expire June 30, 2011.

By Councilmember Allen

Motion Carried

RESOLUTION#216

BY THE COMMITTEE ON PUBLIC SAFETY
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING
WHEREAS, the Mayor has requested confirmation of the reappointment of Rowland Cornish, 221 Northrup Street, Lansing, Michigan 48911 to the Electrical Contractor position for the Electrical Board for a term to expire June 30, 2009; and

WHEREAS, the Committee on Public Safety met on June 6, 2007, and recommended confirmation of this reappointment;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby confirms the Mayor's reappointment of Rowland Cornish, 221 Northrup Street, Lansing, Michigan 48911 to the Electrical Contractor position for the Electrical Board for a term to expire June 30, 2009.

By Councilmember Allen

Motion Carried

RESOLUTION#217

BY THE COMMITTEE ON PUBLIC SAFETY
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING
WHEREAS, the Mayor has requested confirmation of the reappointment of Walter G. Smiley, 423 W. Grand River, Lansing, Michigan 48906 to the Journeyman position for the Electrical Board for a term to expire June 30, 2011; and

WHEREAS, the Committee on Public Safety met on June 6, 2007, and recommended confirmation of this reappointment;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby confirms the Mayor's reappointment of Walter G. Smiley, 423

W. Grand River, Lansing, Michigan 48906 to the Journeyman position for the Electrical Board for a term to expire June 30, 2011.

By Councilmember Allen

Motion Carried

RESOLUTION#218

BY THE COMMITTEE ON PUBLIC SAFETY

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING WHEREAS, the Mayor has requested confirmation of the reappointment of Clyde Carnegie, 1616 W. Michigan Ave., Lansing, Michigan 48915 to the 4th Ward position on the Board of Police Commissioners for a term to expire June 30, 2008; and

WHEREAS, the Committee on Public Safety met on June 6, 2007, and recommended confirmation of this reappointment.

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby confirms the Mayor's reappointment of Clyde Carnegie, 1616 W. Michigan Ave., Lansing, Michigan 48915 to the 4th Ward position on the Board of Police Commissioners for a term to expire June 30, 2008.

By Councilmember Allen

Motion Carried

RESOLUTION#219

BY THE COMMITTEE ON PUBLIC SAFETY

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING WHEREAS, the Mayor has requested confirmation of the reappointment of Patty Farhat-Reed, 2501 Hampden Drive, Lansing, Michigan 48911 to an At Large position on the Board of Police Commissioners for a term to expire June 30, 2010; and

WHEREAS, the Committee on Public Safety met on June 6, 2007, and recommended confirmation of this reappointment.

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby confirms the Mayor's reappointment of Patty Farhat-Reed, 2501 Hampden Drive, Lansing, Michigan 48911 to an At Large position on the Board of Police Commissioners for a term to expire June 30, 2010.

By Councilmember Allen

To place an affirmative roll on the resolution

By Councilmember Quinney

To amend this resolution to reflect the name as Patty Farhat

Motion Carried

The question being the motion to place an affirmative roll on the resolution

Motion Carried

RESOLUTION#220

BY THE COMMITTEE ON PUBLIC SAFETY

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Code Compliance Manager has determined that the building located at **1721 Mary Avenue, Parcel #33-01-01-32-177-071** legally described as: **Lot 28 Exc E ½ Supervisors Plat No 5** is an unsafe or dangerous building as defined in Section 1460.24 of the Lansing Uniform Housing Code and the Housing Law of Michigan and was red tagged on **October 20, 2004**; and

WHEREAS, a hearing was held by the Hearing Officers on **September 28, 2006**, at which the Hearing Officers determined that said building

was an unsafe and dangerous building and ordered the building demolished or made safe by **October 26, 2006**; and

WHEREAS, said Hearing Officers filed a report of their findings and order with the City Council and requested the City Council to take appropriate action under the Lansing Housing and Premises Code and the Housing Law of Michigan; and

WHEREAS, the Housing Law of Michigan and Premises Code require a hearing be conducted to give the property owner an opportunity to show cause why a dangerous structure should not be demolished or otherwise made safe; and

WHEREAS, the City Council scheduled a hearing on **May 21, 2007**, to review the findings and the order of the Hearing Officers and the owners were notified in writing of said hearing and had an opportunity to appear and show cause why said building should not be demolished or otherwise made safe; and

WHEREAS, the Code Compliance Office has determined that compliance with the order of the Lansing Demolition Hearing Board Officer has not occurred; and

NOW, THEREFORE, BE IT RESOLVED that the owner(s) of **1721 Mary** are hereby directed to comply with the order of the Hearing Officers to demolish or otherwise make safe the said building within **sixty (60) days** from the date of this resolution, **Monday, June 11, 2007**.

BE IT FURTHER RESOLVED that the property owner(s) is hereby notified that this order must be appealed within twenty days pursuant to MCL 125.542 and should the owners fail to comply with the Hearing Officers' order for demolition or make safe, the Manager of Code Compliance is hereby directed to proceed with demolition of said building.

BE IT FURTHER RESOLVED whether demolition is accomplished by said property owner or the city that appropriate seeding and restoration of property take place to avoid run-off to adjacent properties.

BE IT FURTHER RESOLVED that the cost of such demolition shall be a lien against the real property and shall be reported to the City Assessor.

BE IT FINALLY RESOLVED that the owners in whose name the property appears upon the last local tax assessment record shall be notified by the City Assessor of the amount of such cost by first class mail at the address shown on the records. Upon the owners failure to pay the same within thirty (30) days after mailing by the City Assessor of the notice of the amount thereof, the amount of said costs shall be a lien and shall be filed and recovered as provided by law and the lien shall be collected and treated in the same manner as provided for property tax liens under the general property tax act.

By Councilmember Allen

Motion Carried

RESOLUTION#221

BY THE COMMITTEE ON PUBLIC SAFETY

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Code Compliance Manager has determined that the building located at **1522 Ballard, Parcel #33-01-01-10-153-131** legally described as: **S 30 Ft Lot 23 Block 3 Handy Home Add** is an unsafe or dangerous building as defined in Section 1460.24 of the Lansing Uniform Housing Code and the Housing Law of Michigan and was red tagged on **March 30, 2006**; and

WHEREAS, a hearing was held by the Hearing Officers on **October 26, 2006**, at which the Hearing Officers determined that said building was an unsafe and dangerous building and ordered the building demolished or made safe by **November 26, 2006**; and

WHEREAS, said Hearing Officers filed a report of their findings and order with the City Council and requested the City Council to take appropriate action under the Lansing Housing and Premises Code and the Housing Law of Michigan; and

WHEREAS, the Housing Law of Michigan and Premises Code require a hearing be conducted to give the property owner an opportunity to show cause why a dangerous structure should not be demolished or otherwise made safe; and

WHEREAS, the City Council scheduled a hearing on **June 4, 2007**, to review the findings and the order of the Hearing Officers and the owners were notified in writing of said hearing and had an opportunity to appear and show cause why said building should not be demolished or otherwise made safe; and

WHEREAS, the Code Compliance Office has determined that compliance with the order of the Lansing Demolition Hearing Board Officer has not occurred; and

NOW, THEREFORE, BE IT RESOLVED that the owner(s) of **1522 Ballard** are hereby directed to comply with the order of the Hearing Officers to demolish or otherwise make safe the said building within **sixty (60) days** from the date of this resolution, **Monday, June 11, 2007**.

BE IT FURTHER RESOLVED that the property owner(s) is hereby notified that this order must be appealed within twenty days pursuant to MCL 125.542 and should the owners fail to comply with the Hearing Officers' order for demolition or make safe, the Manager of Code Compliance is hereby directed to proceed with demolition of said building.

BE IT FURTHER RESOLVED that the cost of such demolition shall be a lien against the real property and shall be reported to the City Assessor.

BE IT FINALLY RESOLVED that the owners in whose name the property appears upon the last local tax assessment record shall be notified by the City Assessor of the amount of such cost by first class mail at the address shown on the records. Upon the owners failure to pay the same within thirty (30) days after mailing by the City Assessor of the notice of the amount thereof, the amount of said costs shall be a lien and shall be filed and recovered as provided by law and the lien shall be collected and treated in the same manner as provided for property tax liens under the general property tax act.

By Councilmember Allen

Motion Carried

RESOLUTION#222

BY THE COMMITTEE OF THE WHOLE
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, pursuant to resolution #089 adopted by this Council on April 2, 2007, a public hearing was held on Monday, May 7, 2007, in consideration of a request by the Public Service Department for an issuance of a waiver of the noise ordinance to allow construction on Washington Square between Ottawa Street and Shiawassee Street from 6:00 a.m. to 9:00 p.m. Monday through Saturday and 8:00 AM to 6:00 PM on Sunday; and

WHEREAS, the project will reconstruct the Washington Square pedestrian mall area between Ottawa Street and Shiawassee Street to include roadway and streetscape elements including tree planters, rain gardens, concrete sidewalk, and brick pavers; and

WHEREAS, the Washington Square Streetscape project construction is scheduled to begin in mid-June; and

WHEREAS, it is in the best interest of the adjacent property owners and the City of Lansing to complete the work in one construction season and to have some work activities done in the evenings and on weekends, outside of regular business hours; and

WHEREAS, allowing the contractor to work from 6:00 AM to 9:00 PM Monday through Saturday and from 8:00 AM to 6:00 PM on Sunday will help to meet the needs of the property owners and the aggressive time schedule;

NOW, THEREFORE, BE IT RESOLVED that a waiver of the noise ordinance be issued to allow construction on Washington Square between Ottawa Street and Shiawassee Street from 6:00 AM to 9:00 PM Monday through Saturday and 8:00 AM to 6:00 PM on Sunday **beginning June 12 and ending no later than November 15, 2007**.

By Councilmember Jeffries

To place an affirmative roll on the resolution

By Councilmember Jeffries

To amend the resolution at the end of the RESOLVED clause, after "Sunday" by inserting "beginning June 12 and ending no later than November 15, 2007"

Motion Carried

The question being the motion to place an affirmative roll on the resolution

Motion Carried

REPORTS FROM COUNCIL COMMITTEES

THIS ITEM WAS POSTPONED TO THE NEXT MEETING REPORT OF COMMITTEE

THE COMMITTEE ON PUBLIC SERVICES held a meeting on June 6, 2007, and agreed that certain repairs and/or improvements are needed to assure the safety of children at the park.

The Committee received a commitment from the Administration that the following repairs/improvements would be completed by July 7, 2007, the date of the Potter/Walsh Neighborhood picnic: repair of the basketball hoop, skinning and raking of the ball field, removal of graffiti, and placement of fresh mulch on the playground. Thereafter, as soon as the necessary playground replacement parts are delivered, repairs will be made to the existing playground. The Parks Department will meet with the Potter/Walsh neighborhood to determine what new playground equipment should be ordered, and based on that meeting, additional playground equipment will be ordered and installed by the end of the 2007 season.

The Committee also asked the Public Service Director, Chad Gamble, why grass on vacant residential properties had grown far beyond a suitable length before getting mowed. Mr. Gamble explained that there are many variables contributing to long grass on vacant properties. Code Compliance officers are not allowed to write tickets until grass reaches the height of 8 inches and then owners have seven days from the time the ticket was issued to comply. Unfortunately, recently, the lag time coincided with massive amounts of rain, which doubled the length of grass. For those owners who remain non-compliant, the address is assigned to a crew to be mowed within seven to ten business days. Red tag properties are routinely monitored by Code Compliance. However, some properties

with grass not in compliance may be properties foreclosed or for sale; thus, the City would not monitor these properties until non-compliance is reported by neighbors.

Signed: Kathie Dunbar, Chairperson
Harold Leeman, Vice Chair
Derrick Quinney, Member

By Councilmember Dunbar

To postpone consideration until the next Council meeting

Motion Carried

ORDINANCES FOR INTRODUCTION

There were no Ordinances for Introduction

ORDINANCES FOR PASSAGE

There were no Ordinances for Passage

REPORTS FROM CITY OFFICERS, BOARDS, AND COMMISSIONS; COMMUNICATIONS AND PETITIONS; AND OTHER CITY RELATED MATTERS

By Councilmember Jeffries that all items be considered as being read in full and that President Leeman make the appropriate referrals

Motion Carried

• Reports from City Officers, Board and Commissions:

- a. Letter from the City Clerk providing notice of the Denial of a request for a Cabaret license in the City of Lansing by the Lansing City Treasurer filed by:
- Tavern on the Square located at 206 S. Washington Sq.
 - Rum Runners located at 601 E. Michigan Ave.
 - Cheetah's of Lansing located at 5910 S. Pennsylvania Ave.

RECEIVED AND PLACED ON FILE

- b. Letter from the City Clerk submitting minutes of Boards and Authorities placed on file in the City Clerk's Office

RECEIVED AND PLACED ON FILE

- c. Board of Water and Light Budget for FY Ending June 30, 2008

REFERRED TO THE COMMITTEE ON WAYS AND MEANS AND THE INTERNAL AUDITOR

- d. Letters from the City Attorney re:
- Byron Haskins and Gabrielle Haskins v City of Lansing
 - City of Lansing v Andrija Markovic
 - Stephen D. Klein v City of Lansing

RECEIVED AND PLACED ON FILE

- e. Letters from the Mayor re:

- i. Transfer of Funds; Police Administration, Victim Assistance

REFERRED TO THE COMMITTEE ON WAYS AND MEANS AND THE INTERNAL AUDITOR

- ii. Transfer of Funds; Police Administration, Gang Resistance Education and Training

REFERRED TO THE COMMITTEE ON WAYS AND MEANS AND THE INTERNAL AUDITOR

- iii. CSO Project Plan Amendment No. 3

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES

- iv. PRD-1-2007; 7.116 Acres on the North End of Westwood Ave., Petition for Planned Residential Development filed by Bronte' Construction LLC

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

- v. LS-8-2007; 511 S. Pennsylvania Ave., Petition for Land Split filed on behalf of James Solomon to divide the property into 2 separate parcels of land

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

- vi. Brownfield Redevelopment Plan #32; filed by C&M Walker LLC for the former Melody Farms property located at 2218 W. Willow St.

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

- vii. Ingham County Mutual Police Assistance Agreement

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

- viii. Brownfield Redevelopment Plan; Ingham County Brownfield Redevelopment Authority – Brownfield Redevelopment Plan for Ingham County Land Bank Fast Track Authority Parcels

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

- ix. Proposed Budget Amendments for FY 2007

REFERRED TO THE COMMITTEE ON WAYS AND MEANS AND THE INTERNAL AUDITOR

• Communications and Petitions, and Other City Related Matters:

- a. Letter from the Michigan Department of Environmental Quality providing notice of the issuance of Permit No. 07-33-0023-P to the Board of Water and Light to Drawdown the Grand River 4 feet to an elevation of 814.0 ft. elevation NGVD at the North Lansing Dam for the purpose of conducting a safety inspection of the dam

RECEIVED AND PLACED ON FILE

- b. Letter from the Ingham County Treasurer providing a list of 2007 foreclosures in the City of Lansing

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY AND
REFERRED TO THE FINANCE DEPARTMENT/CITY TREASURER

- c. Letter from Comcast Cable providing notice of changes to service fees effective August 1, 2007

RECEIVED AND PLACED ON FILE

- d. Notice from Eaton County Equalization and Property Description Department submitting the 2007 Tax Levy and Millage Reduction Fraction Computation

REFERRED TO THE FINANCE DEPARTMENT

- e. Michigan Tax Tribunal Appeals filed by Attorneys and Representatives on behalf of:
- Jackson National Life Insurance Co. for property located at 1 Corporate Way
 - Mary Avenue LDHA for property located at 1301 Mary Ave.
 - General Motors Corporation for property located at 8837 Guinea Rd.
 - General Motors Corporation for property located at 8175 Millett Hwy.
 - Sprint Spectrum LP for property located at 5821 Enterprise Dr.
 - Cedar Place Associates for property located at 201 W. Jolly Rd.
 - Xerox Corporation for personal property located at various locations (Parcel No. 90-33-01-75-308-000)
 - Xerox Corporation for personal property located at various locations (Parcel No. 90-33-01-75-309-000)
 - Xerox Corporation for personal property located at various locations (Parcel No. 90-23-50-75-082-000)
 - Xerox Corporation for personal property located at various locations (Parcel No. 90-33-01-75-310-000)
 - Briarcliffe Apartments C/O Apartment Investment Management Company for property located at 2301 E. Jolly Rd.
 - Aimco Oak Park Village Apartments for property located at 900 Long Blvd.
 - IBM Credit, LLC for personal property located at various locations (Parcel No. 90-33-01-32-735-000)
 - Runaway Bay Apartments C/O Apartment Investment Management Company for property located at 1011 Runaway Bay Dr.

REFERRED TO THE FINANCE DEPARTMENT/CITY ASSESSOR AND
REFERRED TO THE COMMITTEE ON DEVELOPMENT AND
PLANNING AND REFERRED TO THE PLANNING AND
DEVELOPMENT DEPARTMENT

- f. Letter from Michael S. Marks, Manager of E.T. MacKenzie Company addressing concerns with work related to the CSO 018 North Part B Project

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES

- g. Application for Community Funding filed by Faith Fellowship Baptist Church and Potter Walsh Neighborhood Association for their Community Block Party to be held July 7, 2007

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

- h. Letter from Carl Calille, Transportation and Parking Steward of UAW local 2256 regarding management's proposed walk of parking enforcement routes.

*SUSPENSION ITEM-REFERRED TO THE COMMITTEE ON
PUBLIC SAFETY

- i. Electronic message from Ryan Taber, no address given stating concerns with the conditions of the River Walk

*SUSPENSION ITEM-REFERRED TO THE COMMITTEE ON
PUBLIC SERVICES AND REFERRED TO THE PARKS
DEPARTMENT

MOTION OF EXCUSED ABSENCE

By Councilmember Allen

To excuse councilmember Kaltenbach from tonight's proceedings

Motion Carried

REMARKS BY COUNCILMEMBERS

Councilmember Dunbar wished her son Ethan a happy belated Birthday.

Councilmember Allen stated that the Concert in the Park series and Blues on the Square are starting this week.

Councilmember Matt clarified that ET Mackenzie is licensed and has an updated insurance policy and they are working with the homeowner on her issues.

Councilmember Dunbar addressed comments that have been made about the rain garden project.

President Leeman asked the administration if they could monitor traffic flow around the construction zones especially on Grand River and Pennsylvania and Grand River and High St.

REMARKS BY THE MAYOR OR EXECUTIVE ASSISTANT

Jerry Ambrose, Executive Assistant to the Mayor, thanked Councilmember Matt for addressing the comments that have been made by speakers regarding ET Mackenzie. He stated that there is no plan for a fountain in Lansing. He said that he will look into the traffic concerns on Grand River.

ADJOURNED TIME 9:27 P.M.

CHRIS SWOPE, CITY CLERK



**OFFICIAL PROCEEDINGS OF
THE CITY COUNCIL
CITY OF LANSING
PROCEEDINGS OF JUNE 18, 2007**

City Council Chambers
Lansing, Michigan

The City Council of the City of Lansing met in regular session and was called to order at 7:00 p.m. by President Leeman.

PRESENT: Councilmembers Allen, Dunbar, Jeffries, Kaltenbach, Leeman, Matt, Quinney, Wood

ABSENT: None

The Council observed a moment of Meditation followed by the Pledge of Allegiance led by President Leeman

CONSIDERATION OF LATE ITEMS

By Vice President Jeffries

To suspend City Council Rule #11 to allow for Consideration of Late Items

Motion carried

The following items were added to the agenda:

1. From Councilmember Kaltenbach; Grant Approvals: Cable Casting Grants
2. From Councilmember Quinney; Special Ceremony, Swearing in of Kevin Reeves as Chief Deputy City Clerk
3. From Councilmember Wood; Letter from Garry Kellogg of 137 E. Reasoner St. regarding 129 E. Reasoner St. and submitting a list of questions for the Code Compliance Office
4. From Councilmember Leeman; Petition from the North Lansing Community Association to deny Pride weekend activities in their neighborhood June 29-30, 2007

TABLED ITEMS

SPECIAL CEREMONIES

• Special Ceremonies

1. Tribute; Ruth Leyrer for her dedication and service to the City of Lansing and her 8 years of service as a member of the Parks Board

City Clerk Swope read the following Resolution:

RESOLUTION#223

BY COUNCILMEMBER KATHIE DUNBAR
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Ruth H. Leyrer is a lifelong eastside resident of the City of Lansing and graduate of Eastern High School;

WHEREAS, Ms. Leyrer and her husband of 34 years raised two

children; and

WHEREAS, Ruth is the owner of the prominent Bancroft Flowers eastside business; and

WHEREAS, Ms. Leyrer was appointed to the 1st Ward position on the Lansing Park Board on December 14, 1998; and

WHEREAS, she played a major role as a community activist for the improvement of Foster and Regent Parks during the "Project Play" playground improvement project; and

WHEREAS, Ms. Leyrer is President and Founder of the F.A.I.R. (Fairview Area Independent Residential Neighbors) Neighborhood Group since 1994; and

WHEREAS, her extensive volunteer work includes the Summer Youth Recreation Softball Program; Americorp Volunteer with the Summer Youth Recreation Softball Program; Americorp Volunteer with A.B.C., Oak Park, Westside Park, and Moores Park Neighborhood Organizations; and her many years with the Eastside Neighborhood Organization; and

WHEREAS, during her tenure on the Lansing Park Board, Ms. Leyrer participated in the following Lansing Park Millage capital improvement projects: Ranney Skate Park; the BMX Track at Gier Park; expansion of the Lansing River Trail; replacement of the Mt. Hope Arch; new restroom/concession buildings at Kircher Park, Westside Park, and Davis Park; Hunter Park "Cool Cities" project; and several playground renovations projects; and

WHEREAS, Ruth has faithfully served the citizens of Lansing through her service on the Lansing Park Board for eight years and recently accepted a board member position on the Memorial Review Board; and

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council hereby wish to extend its warmest thank you to Ruth Leyrer for her dedication and service to the City of Lansing and her eight years of service as a member of the Parks Board. We wish you continued success!

By Councilmember Dunbar

Motion Carried

Councilmember Dunbar was honored to present this tribute and said Ruth is known for many things throughout the Community.

Ruth Leyrer thanked the City Council and Murdock Jemerson for the support that they have given her these past 8 years and also for this honor. She said it has been a pleasure having served the City and its Communities. She said Lansing has beautiful green space. She said there are so many programs that the City offers through the Parks. She encouraged the City to continue the programs for the sake of the kids.

Jerry Ambrose, Executive Assistant to the Mayor, thanked Ruth for all the work that she has done on the Parks Board as well as in the Communities.

2. Tribute; Board of Water and Light 12th Annual Chili Cook-Off

City Clerk Swope read the following Resolution:

RESOLUTION#224

BY COUNCILMEMBER HAROLD LEEMAN
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Board of Water and Light Chili Cook-off is a summertime event to highlight the riverfront and good eating; and

WHEREAS, each year, thousands of "chiliheads" gather along Lansing's River Trail near the Lansing Center to partake of more than 1,500 gallons of chili; and

WHEREAS, this year nearly 40 restaurants and organizations will compete for prizes such as the People's Choice award, Best Restaurant Chili, Most Creative Name for a chili, and Best Chili Booth; and

WHEREAS, the \$5 wristband entitles the wearer to sample all of the chili's that are competing for awards and access to live music and refreshments; and

WHEREAS, all proceeds will be divided between the HOPE Scholarships Connections Program, which will provide hundreds of Lansing students with two year's free tuition to Lansing Community College, and to the Impression 5 Science Center, which administers the BWL's award-winning Adopt A River Program; and

WHEREAS, free shuttle bus service aboard the "Chili Express" will be offered as a new feature this year made possible by Dean Transportation, who is donating two buses for festival goers between Lansing Catholic High School's parking lot and the Lansing Center; and

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, wishes to extend its deep appreciation to the Board of Water and Light for their dedication and support to Lansing and local organizations. Congratulations on the 12th Annual Chili Cook-Off!

By Councilmember Leeman

Motion Carried

President Leeman introduced Mark Nixon so he could give information on the 2007 Board of Water and Light Chili Cook-Off.

Mark Nixon thanked Council for this tribute. He presented the Mayor and Council with a Certificate of Appreciation for their support each year. He said this year the Cook-Off will be Friday, July 22nd beginning at 5:00 along the riverfront at the Lansing Center.

Mayor Bernero stated that this event is another spectacular event put on by the Board of Water and Light and that everyone should come hungry.

3. Swearing in of Kevin Reeves as Chief Deputy City Clerk

Clerk Swope stated that the City Clerk's office lost a great person with the retirement of Denise Griffin. He said we have a great replacement for her and is looking forward to working with Kevin Reeves.

Chief Deputy City Clerk Reeves took the Constitutional Oath of Office, administered by City Clerk Swope.

**COUNCILMEMBERS' COMMENTS
AND CITY CLERK'S ANNOUNCEMENTS:**

Councilmember Dunbar announced that the Southside Community Showcase will be August 25th and anyone interested in participating by

having a booth or volunteering can contact her here at City Council or by calling 374-5700.

Councilmember Wood announced that on Tuesday the River Forest Neighborhood Association will be having their picnic at Tecumseh Park from 6:00 p.m. to 8:00 p.m.

Councilmember Matt announced that the Churchill Downs Neighborhood Association will be meeting Tuesday at 6:30 p.m. at Wainwright School. The Colonial Village Neighborhood Association will be meeting at Grace United Methodist Church on Wednesday at 7:00 p.m. Lewton/Rich Neighborhood Association will be having their Garage Sale on Saturday from 8:00 a.m. to 3:00 p.m. He congratulated the new Board of Water and Light General Manager, J. Peter Lark and thanked Richard Peffley for serving several months as Interim General Manager at the Board of Water and Light.

Councilmember Allen announced that the Old Everett Neighborhood Association will be having their picnic on Tuesday at 6:30 p.m. at Washington Park and those attending are asked to bring a dish to pass.

President Leeman stated that the Old Town will be having their Festival of the Sun and Festival of the Moon this weekend on Friday and Saturday.

City Clerk Swope stated that the Absentee Ballots have arrived in the Clerk's Office and will start being mailed out this week; anyone needing to vote by absentee can stop by the Clerk's Office and pick up a ballot beginning on Tuesday afternoon. He said the Oakland Center is scheduled to open the Monday following the July 4th holiday. Letters have gone out to the election inspectors regarding appointments and the deadline to respond is Friday.

SPEAKER REGISTRATION FOR PUBLIC COMMENT

(Clerk Swope announced that the public comment registration form(s) for those intending to address Council on legislative or City government matters will be collected and that only those persons who have fully completed the form(s) will be permitted to speak.)

MAYOR'S COMMENTS

Mayor Bernero spoke about the Go Green, Go Lansing environmental program. He spoke about the Rose Gardens at Francis Park. He spoke about the first "Blues on the Square" concert that took place last Thursday; he said over 800 people turned out for the free concert. He congratulated everyone who helped make the event a success. He spoke about the Mayor's Institute on City Design.

Councilmember Wood stated that she has received calls regarding the sculpture that was on Washington Square as to where it would be housed.

Mayor Bernero said the statue is in a safe place and that he is open for suggestions on where it should be put.

SHOW CAUSE HEARINGS

• Comment on Scheduled Show Cause Hearings:

1. In consideration of the issuance of orders for Make Safe or Demolish to the owners of property located at 1800 Indiana Ave.
2. In consideration of the issuance of orders for Make Safe or Demolish to the owners of property located at 129 E. Reasoner St.

Councilmember Allen gave a brief overview of both properties.

Troy Dick of 129 Reasoner stated that he is the owner of the property located at 129 E. Reasoner St. and he has pulled all the permits that he needs to have the necessary work done. He handed City Council a letter stating what work has been completed and asked for more time to finish it.

PUBLIC COMMENT ON LEGISLATIVE MATTERS

• Public Comment on Legislative Matters:

Legislative Matters included the following public hearings:

1. In consideration of an Ordinance of the City of Lansing, MI to Amend Chapter 8, Section 8.03 of the Codified Ordinances by increasing penalties for multiple overnight parking violations and authorizing the impoundment of vehicles and the assessment of costs for chronic offenders
2. In consideration of the establishment of the Principal Shopping District Special Assessment Zones for fiscal year 2008

Councilmember Kaltenbach gave a brief overview of the proposed changes to the overnight parking ordinance.

Councilmember Wood gave a brief overview of public hearing #2.

Cole Bouck of 321 N. Jenison spoke in support of the proposed changes to the parking ordinance.

Brian Smith of 1007 Woodbine spoke in opposition to the proposed changes to the parking ordinance.

Christine Timmon of 2519 Washington spoke about concerns that she has with the changes to the parking ordinance. She also spoke in support of the special assessment fees as long as the Principal Shopping District fees are not raised by the City.

Gary Andrews of 560 Brookland spoke in support of the proposed changes to the overnight parking ordinance. He said that when cars are parked on the street snow plows and street cleaners can not do their job.

Don Dean of 1321 E. North Street spoke about concerns that he has with the proposed changes to the parking ordinance.

Robert Bennett of 907 Chicago said that he is not for or against the parking ordinance. However, he said, something needs to be done to make sure that the current ordinance is enforced.

John Pollard of 1718 Blair spoke in opposition to the Special Assessment. He also spoke in opposition to the parking ordinance proposed changes.

Ellen Beal of 227 Custer St spoke in opposition to the proposed changes to the parking ordinance.

Pete Bosheff of 227 Custer St spoke in opposition to the proposed parking ordinance changes.

Darnell E. Oldham Sr of 3815 Berwick Dr spoke in opposition to the proposed parking ordinance changes and spoke about concerns with the Special Assessment.

REFERRAL OF SHOW CAUSE HEARINGS and PUBLIC HEARINGS

1. In consideration of the issuance of orders for Make Safe or Demolish to the owners of property located at 1800 Indiana Ave.

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

2. In consideration of the issuance of orders for Make Safe or Demolish to the owners of property located at 129 E. Reasoner St.

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

1. In consideration of an Ordinance of the City of Lansing, MI to Amend Chapter 8, Section 8.03 of the Codified Ordinances by increasing penalties for multiple overnight parking violations and authorizing the impoundment of vehicles and the assessment of costs for chronic offenders

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

2. In consideration of the establishment of the Principal Shopping District Special Assessment Zones for fiscal year 2008

REFERRED TO THE COMMITTEE ON WAYS AND MEANS AND
INTERNAL AUDIT

PUBLIC COMMENT ON CITY GOVERNMENT RELATED MATTERS:

Michael Morofsky of 1300 Woodbine spoke about concerns with a railroad crossing. He also spoke about lawns that are not being mowed by the owners.

Mike Sears of 16910 Blackwalnut Lane, East Lansing, spoke about various city matters.

Don Dean of 1321 E. North St spoke about various city matters.

John Pollard of 1718 Blair spoke about various city matters.

William Hubbell of 3916 Wedgewood spoke about Maguire Park.

Frank S. Curtis X of 1137 West Allegan spoke about various city matters.

Darnell E. Oldham Sr of 3815 Berwick Dr spoke about various city matters.

Christine Timmon of 2519 Washington spoke about concerns that she has with the City Clerk's Office.

Ronnie Ford of 5016 Conners Ave spoke about the entertainment that is booked at Common Ground.

Alicia Perez-Banuet of 804 W. Shiawassee congratulated Kevin Reeves on being appointed Chief Deputy City Clerk and she spoke in support of the changes implemented by the City Clerk.

Monica Zuchowski of 320 N. Walnut congratulated Kevin Reeves on being appointed Chief Deputy City Clerk and spoke in support of City Clerk Swope on his recent changes to the City's polling locations.

Garry Kellogg of 137 E. Reasoner spoke about concerns that he has with the property owner and the property itself at 129 E. Reasoner.

Wilma Bambrick of 133 E. Reasoner spoke about problems with the property and its owner 129 E. Reasoner. She indicated that all the neighbors want this house and the owner out of the neighborhood.

Bill Hodges of 203 E. Reasoner spoke about serious problems with the owner of the property located at 129 E. Reasoner.

Anne Hodges of 203 E. Reasoner spoke about a Personal Protection Order that she has against the owner of 129 E. Reasoner. She said he allegedly violates the order and the Police Department won't do anything about it.

LEGISLATIVE MATTERS

RESOLUTIONS

RESOLUTION#225

BY THE COUNCILMEMBER SANDY ALLEN
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Lansing Code Compliance Officer has declared a certain structure (dwelling) at **1914 Stirling Avenue; Parcel # 3301.01.29.226.101 and Legal Description: Lot 23 block 2 Elmhurst Sub** to be an unsafe and dangerous building and requested the property owner be ordered to demolish or otherwise make safe the structure; and

WHEREAS, The Code Compliance Officer red tagged the said structure on **March 6, 2006**, and requested the property owner be ordered to demolish or otherwise make safe the structure; and

WHEREAS, on **April 26, 2007**, the Lansing Demolition Board held a special meeting to consider and make a recommendation on whether to declare the structure a dangerous building, as defined in the Housing Law of Michigan (MCLA 125.539) and the Lansing Housing and Premises Code (1460.09) to order the property owner to make safe or demolish the structure; and

WHEREAS, the Code Compliance Office has determined that compliance with the order of the Lansing Demolition Hearing Board officer has not occurred; and

WHEREAS, the Housing Law of Michigan and the Housing and Premises Code require that a hearing be conducted to give the property owner an opportunity to show cause why a dangerous structure should not be demolished or otherwise made safe; and

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council hereby schedules a show cause hearing for **Monday, July 9, 2007, at 7:00 p.m.** in the Lansing City Council Chambers, 10th Floor City Hall, 124 W. Michigan, Lansing, Michigan in consideration of the finding and order of the Lansing Demolition Hearing Board Officer regarding the structure at **1914 Stirling Avenue**; to give the owner, or the owner's agent, the opportunity to appear and show cause why the building should not be demolished or otherwise made safe; and to approve, disapprove, or modify the order of the hearing officer to demolish or make safe the subject structure.

BE IT FINALLY RESOLVED that the Lansing City Council requests that the Manager of Code Compliance notify the owner of said property of the opportunity to appear and present testimony at the hearing, as required by law.

By Councilmember Allen

Motion Carried

RESOLUTION#226

BY THE COMMITTEE ON GENERAL SERVICES
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the City of Lansing funds for community cablecasting activities covering fiscal year 2006-2007 amounts to \$8,600; and

WHEREAS, the Telecommunications and Cable Advisory Board has evaluated five (5) grant applications from community programmers and recommended that all five (5) applicants receive funding totaling \$3,701.80, with a reserve of \$4,898.20; and

WHEREAS, the Telecommunications and Cable Advisory Board further discussed the reserve amount and recommends that those reserve funds be use to purchase two remote operation cameras and microphone(s) for use by CITY-TV; and

WHEREAS, the Committee on Ways and Means reviewed the Board's recommendations and concurs on the availability of funds; and

WHEREAS, the Committee on General Services has reviewed the Board's recommendations; and

WHEREAS, the grant contract includes a provision that all recipients shall abide by the rules and regulations required of grant recipients; and

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, in consideration of the recommendations from the Board, hereby, approves grant allocations to producers of community programs in the amount of \$2,605.80, according to the attached list;

BE IT FURTHER RESOLVED that in conjunction with the allocations to producers, the reserve funds in the amount of \$5,994.20 are to be used for CITY-TV use;

BE IT FURTHER RESOLVED that Council Staff is authorized to make a bulk purchase of videotape, and allocate tapes to applicants in amounts specified on the attached summary;

BE IT FURTHER RESOLVED that the Council staff is authorized to use the reserve funds of \$5,994.20 to purchase two remote operating cameras and microphone(s) for CITY-TV use;

BE IT FINALLY RESOLVED that all grant recipients will sign a contract and abide by the rules thereof.

By Councilmember Kaltenbach

Motion Carried

PUBLIC ACCESS GRANT ALLOCATIONS FY2006-07

Producer	Title	Requested Amount
Darrin Burgess	Required Viewing	\$168.00
	4 RCA camcorder batteries	
Michael Fields	Video Central	\$722.80
	VHS and 3/4" Videotapes	
Dee Freeman	Peetree-N-Motion	\$620.00
	Videotapes (VHS & 3/4")/DVD-R	
Darnell E. Olidham, Sr.	Point - Counterpoint with Darnell E. Olidham, Sr.	\$676.50
	Videotapes/DVD-R	
Christine Timmon	Jewels of Knowledge	\$418.50
	Council Committees	
	Public Comment	
	Videotapes/DVD-R (\$418.50)	
		\$2,605.80

Available Grant Amount: \$8,600

THIS ITEM WAS RETURNED TO COMMITTEE

BY THE COMMITTEE ON WAYS AND MEANS
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the U.S. Department of Justice has made available to the City of Lansing the Edward Byrne Memorial Justice Assistance Grant (JAG) Program, and

WHEREAS, the JAG Program has made available \$145,851.00 to the City of Lansing as a joint application amount in conjunction with Ingham County per its disparate certification definition, and

WHEREAS, the annually renewable grant requires no local matching funds, and

WHEREAS, the Lansing Police Department has a Memo of Understanding with Ingham County allowing LPD to administer 100% of the award for a program which includes projects such as a system by which officers can transmit their reports from the field for input into the new LPD dictation system, and

WHEREAS, the Police Department's proposed projects under this grant have a start date of August 1, 2007 and an end date of July 31, 2011;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, authorizes the Administration to apply for the Edward Byrne Memorial Assistance Grant JAG grant by completing the application process in accordance with the requirements of the grantor, and

BE IT FINALLY RESOLVED that upon notification of the grant being awarded, the Administration shall bring any grant back to the City Council for authorization for acceptance.

By Councilmember Wood

To return the resolution to the Committee on Ways and Means

Motion Carried

RESOLUTION#227

BY COMMITTEE ON WAYS AND MEANS
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

Approval to accept a FY 07 Certified Local Government Grant Award

WHEREAS, the City of Lansing has developed the Central Lansing Comprehensive Plan for Downtown, Old Town, and Entertainment District areas; and

WHEREAS, Historic Preservation is listed in the Central Lansing Comprehensive Plan as a goal of the plan; and

WHEREAS, the City of Lansing is designated as a Certified Local Government and is eligible for funds from the State Historic Preservation Office of the Michigan Department of History, Arts, and Libraries on a 60/40% matching basis as a result; and

WHEREAS, the City of Lansing received a FY 1997 Historic Preservation Grant through the State Historic Preservation Office to conduct reconnaissance and intensive-level surveys of historic properties in several areas within Lansing; and

WHEREAS, the Lansing Economic Development Corporation (EDC), pursuant to City Council resolution #547 of 2006, submitted the grant application and has been awarded a FY 07 Certified Local Government grant to complete the National Register District Nomination; and

WHEREAS, the proposed project will update the survey of downtown properties from the reconnaissance level to the intensive level and complete the National Register District Nomination; and

WHEREAS, federal funds combined with EDC funds and in-kind EDC staff will be sufficient to complete the project as proposed with no funds from the City; and

WHEREAS, the grant award is for \$15,000 of which the EDC will match with its Marketing Promotion funds of approximately \$15,000; and

NOW, THEREFORE, BE IT RESOLVED that pursuant to resolution #547, Lansing City Council approves the acceptance of the grant from the Michigan Department of History, Arts, and Libraries to complete the above project.

BE IT FURTHER RESOLVED that the EDC is authorized and directed to accept the grant for \$15,000 and establish by resolution a signator authorized to sign a contract, any amendments, and any contract related documents.

By Councilmember Wood

Motion Carried

RESOLUTION#228

BY THE COMMITTEE ON WAYS & MEANS
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

That the following FY 2007 transfer be approved;

GANG-RESISTANCE DONATION

AMOUNT TO TRANSFER	TRANSFER FROM ACCOUNT #	TRANSFER TO ACCOUNT #
\$1,250.00	Donations/Contributions Revenue 101 0 675000 0	
\$1,250.00		Police Donations/Contributions Expenditures 101 343201 741800 0

(To appropriate donations received from the Wal-Mart (\$1,000) and the south Lansing Sam's Club (\$250) stores for gang resistant education and training.)

By Councilmember Wood

Motion Carried

RESOLUTION#229

BY THE COMMITTEE ON WAYS & MEANS
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

That the following FY 2007 transfer be approved;

VICTIM ADVOCACY PROGRAM DONATION

AMOUNT TO TRANSFER	TRANSFER FROM ACCOUNT #	TRANSFER TO ACCOUNT #
\$52.00	Donations/Contributions Revenue 101 0 675000 0	
\$52.00		Police Donations/Contributions Expenditures 101 343201 741800 0

(To appropriate donation received from Holy Cross Church and School for the Victim Advocate Program.)

By Councilmember Wood

Motion Carried

RESOLUTION#230

BY THE COMMITTEE ON WAYS AND MEANS

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

That the following FY 2007 transfers be approved:

AMOUNT TO TRANSFER	TRANSFER FROM ACCOUNT #	TRANSFER TO ACCOUNT #
\$8,325.00	ES Grant (Hlth, Mntl Hlth) 101.833715.960264.0	
\$8,397.00	ES Grant (Child & Family) 101.833720.960264.0	
\$75,867.00	ES Grant (Emer. Services) 101.833730.960264.0	
\$92,589.00		Operating Transfer to ESG Fund 101.966000.991264.0

(City match transfer for the ESG-qualified programs, including National Council on Alcoholism \$8,325, Capital Area Community Services \$8,397, EVE Inc \$4,515, Haven House Operating \$11,003, Salvation Army \$8,382, Loaves and Fishes \$10,850, Advent House \$8,335, Ballentine Stepping Stones \$6,693, VOA Homeless Program \$19,018, and Gateway Community Services \$7,071. Conforms to the HUD federal funds entitlement budget as adopted by Council Resolution 187 [May 08, 2006] for the FY07 fiscal year.)

AMOUNT TO TRANSFER	TRANSFER FROM ACCOUNT #	TRANSFER TO ACCOUNT #
\$92,589.00	Emergency Shelter Grant Estimated Revenue 264.000000.696101.02006	
\$92,589.00		Emergency Shelter Grant Operations 264.932666.960264.02006

(Appropriation of city match for the Emergency Shelter Grant program in the HUD federal funds entitlement budget, as adopted by Council Resolution 187 [May 08, 2006] for the FY07 fiscal year.)

By Councilmember Wood

Motion Carried

RESOLUTION#231

BY THE COMMITTEE ON WAYS & MEANS
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

That the following FY 2007 transfer be approved;

AMOUNT TO TRANSFER	TRANSFER FROM ACCOUNT #	TRANSFER TO ACCOUNT #
\$4,500.00	Clerk Overtime 101.172400.703000.0	
\$3,500.00	Clerk Advertising 101.172400.741500.0	
\$8,000.00		Clerk Temporary Help 101.172400.707000.0

(To transfer \$8,000 from personnel and operating to fund temporary help needs.)

By Councilmember Wood

Motion Carried

REPORTS FROM COUNCIL COMMITTEES

RESOLUTION#232

REPORT OF COMMITTEE

THE COMMITTEE ON PUBLIC SERVICES held a meeting on June 6, 2007, and agreed that certain repairs and/or improvements are needed

to assure the safety of children at the Potter/Walsh park.

The Committee received a commitment from the Administration that the following repairs/improvements would be completed by July 7, 2007, the date of the Potter/Walsh Neighborhood picnic: repair of the basketball hoop, skinning and raking of the ball field, removal of graffiti, and placement of fresh mulch on the playground. Thereafter, as soon as the necessary playground replacement parts are delivered, repairs will be made to the existing playground. The Parks Department will meet with the Potter/Walsh neighborhood to determine what new playground equipment should be ordered, and based on that meeting, additional playground equipment will be ordered and installed by the end of the 2007 season.

The Committee also asked the Public Service Director, Chad Gamble, why grass on vacant residential properties had grown far beyond a suitable length before getting mowed. Mr. Gamble explained that there are many variables contributing to long grass on vacant properties. Code Compliance officers are not allowed to write tickets until grass reaches the height of 8 inches and then owners have seven days from the time the ticket was issued to comply. Unfortunately, recently, the lag time coincided with massive amounts of rain, which doubled the length of grass. For those owners who remain non-compliant, the address is assigned to a crew to be mowed within seven to ten business days. Red tag properties are routinely monitored by Code Compliance. However, some properties with grass not in compliance may be properties foreclosed or for sale; thus, the City would not monitor these properties until non-compliance is reported by neighbors.

Signed: Kathie Dunbar, Chairperson
Harold Leeman, Vice Chair
Derrick Quinney, Member

By Councilmember Dunbar

To receive this Committee Report

Motion Carried

ORDINANCES FOR INTRODUCTION

There were no Ordinances for Introduction

ORDINANCES FOR PASSAGE

There were no Ordinances for Passage

REPORTS FROM CITY OFFICERS, BOARDS, AND COMMISSIONS; COMMUNICATIONS AND PETITIONS; AND OTHER CITY RELATED MATTERS

By Councilmember Jeffries that all items be considered as being read in full and that President Leeman make the appropriate referrals

Motion Carried

• Reports from City Officers, Board and Commissions:

- a. Letter from the City Clerk submitting:
 - An application for a license to Sell or Offer to Sell Retail Fireworks filed by Justin Kesto to be sold at 3405 S. Cedar St.
 - An application for a Peddlers and Transient Merchants License filed by Dany Hanosh to Sell

Fireworks from a tent located at 3405 S. Cedar St.

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

- b. Letter from the City Clerk submitting minutes of Boards and Authorities placed on file in the City Clerk's Office

RECEIVED AND PLACED ON FILE

- c. Letter from the City Attorney re: Dale Abronowitz v Local 2256, UAW Region 1-C, UAW, and City of Lansing

RECEIVED AND PLACED ON FILE

- d. Letters from the Mayor re:
- i. Appointment of Rick Kibbey to the Potter Park Zoo Board for a Term to Expire December 31, 2009; Appointment of Kathie Dunbar to the Potter Park Zoo Board for a Term to Expire December 31, 2008

REFERRED TO THE COMMITTEE OF THE WHOLE

- ii. Transfer of Funds; (2) CDBG General Admin Equipment

REFERRED TO THE COMMITTEE ON WAYS AND MEANS AND INTERNAL AUDIT

• Communications and Petitions and Other City Related Matters:

- a. Letter from the Michigan Department of Environmental Quality providing notice of the issuance of Permit No. 07-33-0009-P to the City of Lansing to construct a 1,950-foot long pedestrian path along Sycamore Creek as part of the River Trail South from Potter Park to McGuire Park (Mt. Hope to Jolly) in two phases.

REFERRED TO THE PARKS DEPARTMENT

- b. Notice from the State of Michigan Public Service Commission of a public hearing for the electric customers of Consumers Energy Company Case U-15290 to be held on June 27, 2007

RECEIVED AND PLACED ON FILE

- c. Notice from Waverly Community Schools submitting the 2007 Tax Levy and Millage Reduction Fraction Computation

REFERRED TO THE FINANCE DEPARTMENT AND REFERRED TO THE CITY ATTORNEY

- d. Notice from Ingham Intermediate School District submitting the 2007 Tax Levy and Millage Reduction Fraction Computation

REFERRED TO THE FINANCE DEPARTMENT AND REFERRED TO THE CITY ATTORNEY

- e. Letter from Fred Williams of 350 Gier St. stating concerns with alleged City Charter violations

REFERRED TO THE CITY ATTORNEY

- f. Letters in support of the PSD Assessment from:
- Mike Bruce of InstyPrints
 - Al Maywood of the Downtown Smoking Club
 - Jessica Decker of Decker's Coffee Company

REFERRED TO THE COMMITTEE ON WAYS AND MEANS AND INTERNAL AUDIT

- g. Letters in support of the proposed Ordinance to increase penalties for multiple overnight parking violations from:
- R Cole Bouck of 321 N. Jenison Ave.
 - Lydia Watkins of 1135 N. Genesee Dr.

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

- h. Letter from B. A. Teddy of 3024 Manley Dr. stating concerns with alleged parking violations at Cristo Rey Catholic Church's Fiesta

REFERRED TO THE CITY ATTORNEY AND REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

- i. Letter from Garry Kellogg of 137 E. Reasoner St. regarding 129 E. Reasoner St. and submitting a list of questions for the Code Compliance Office

*SUSPENSION ITEM-REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

- j. Petition from the North Lansing Community Association to deny Pride weekend activities in their neighborhood June 29-30, 2007

*SUSPENSION ITEM-REFERRED TO THE MAYOR AND REFERRED TO THE COMMITTEE OF THE WHOLE

REMARKS BY COUNCILMEMBERS

Councilmember Dunbar stated that Councilmember Leeman played an active roll during the committee meeting with regards to the Potter Walsh Park discussion.

City Attorney Smith gave an update on the Center St. home issue with E. T. Mackenzie.

President Leeman stated that Bobby Adado who owns a business on Larch St was here but had to leave and asked if the administration could please look into the traffic issues due to all the construction. He thanked Lansing Township for their assistance with putting in the sidewalk on Grand River between Fairview and Wood St.

REMARKS BY THE MAYOR OR EXECUTIVE ASSISTANT

Jerry Ambrose, Executive Assistant to the Mayor, said that the Public Service Department is looking into the concerns about the railroad crossings. He said progress is being made with regards to grass mowing issues. He thanked the Downtown Neighborhood Association for the work that they have done at Ferris Park. He reminded everyone about the Board of Water and Light's Chili Cook-Off on Friday from 5:00 p.m. to 9:00 p.m.

ADJOURNED TIME 10:05 P.M.

CHRIS SWOPE, CITY CLERK



**OFFICIAL PROCEEDINGS OF
THE CITY COUNCIL
CITY OF LANSING
PROCEEDINGS OF JUNE 25, 2007**

City Council Chambers
Lansing, Michigan

The City Council of the City of Lansing met in regular session and was called to order at 7:00 p.m. by President Leeman.

PRESENT: Councilmembers Allen, Dunbar, Jeffries, Kaltenbach, Leeman, Matt, Quinney, Wood

ABSENT: None

The Council observed a moment of Meditation followed by the Pledge of Allegiance led by President Leeman

APPROVAL OF MINUTES

By Councilmember Jeffries

To approve the printed Council Proceedings of June 11 and 18, 2007

Motion carried

CONSIDERATION OF LATE ITEMS

By Vice President Jeffries

To suspend City Council Rule #11 to allow for Consideration of Late Items

Motion carried

The following items were added to the agenda:

1. From Councilmember Quinney; Letter from the City Clerk submitting an application for a Public Display of Fireworks filed by Lansing Parks and Recreation and Charles Holm to be held on July 4, 2007 with a rain date of July 5, 2007
2. From Councilmember Wood; 2 email letters in support of the demolition of 1414 Prospect St. submitted by Jason Corie, Prospect Protectors Coordinator, of 1406 Prospect St., and Joan Nelson, Director of Allen Neighborhood Center located at 1619 E. Kalamazoo St.
3. From Councilmember Allen; Email letter from Amy Lipset-Champion of 211 Rosamond St. in support of the demolition of the property located at 1414 Prospect St.
4. From Councilmember Leeman; Letter from Nancy L. Casey of 1416 Prospect St. in support of the demolition of the property located at 1414 Prospect St.
5. From Mayor Bernero; Proclamation; Recognizing Latisha Heath of the Lansing Teen Court Program

TABLED ITEMS

SPECIAL CEREMONIES

• Special Ceremonies

1. Presentation; "Be a STAR" participants

Councilmember Dunbar congratulated the tutors and students who completed the "Be A STAR" Literacy Program through Union Missionary Baptist Church.

Ivory Morrisette stated that the goal of the "Be A STAR" program is to make sure children in the Greater Lansing area are reading at their grade levels. She said the program offers one-on-one tutoring for Kindergarten through 3rd grade. She said since 2005 50 children have participated in the program which runs from September to June as well as a summer session from June to August. The program is free to all students in the Greater Lansing area and was started by Rev. Melvin Jones.

Zach Anderson of the Capital Area Literacy Coalition stated that his organization works with students and adults in the area and that it is a pleasure to do what they do.

Councilmember Dunbar stated that the Literacy Coalition has donated several books for this program. She introduced the students who have completed the program, the tutors who assisted the students, and handed all of them their certificates.

Students

Destinee Batle, Shantel Bonham, Steven Bonham, Tajah Smith, Jalen Grace, Amy Spitzley, Laron Wilcox, Wesley Glascoe, Tashmia Lindsey, Summer Lindsey, Malcolm Pruitt, Cameron Houston, Deshaun Laurey, Dequandre Mack, Chasity McCloud, Paris Wilson, Benjamin Forreman

Tutors

Kay Shannon, Charlene Fahie, Carmen Fahie, Shulawn Scott, Johnnie Stokes, Celeste Shoulders, Dawn Epstein, Linda Green, Thelma Jones, Rosemary Wilkins-Moore, Barbara Artis, Nathan Duncan, Lisa Cutcher, Jennifer Moore, Denise Kenny, Lenore Watts, Lural Baltimore, Ivory Morrisette, Alvin Holloway, LaDonna Mask, Michael Jones, Olive Ikeh, Andrea Bryant, Chi Njoku, Corey Davis, Torey Davis, Lamarr Knox, Alicia Washington, Sharon Caldwell, Ernest Scott, Kay Shannon, Elois Kline, Melvin Jones

Jerry Ambrose, Executive Assistant to the Mayor, congratulated everyone for a job well done on behalf of Mayor Bernero.

2. Presentation; 1st Annual Hawk Island Triathlon

Councilmember Dunbar commented on Lansing's 1st Triathlon at Hawk Island this year. She stated that it was sponsored by the South Lansing Community Development Association as well as many other businesses. She thanked everyone who helped put the event together and presented the following businesses with certificates:

Fifth Third Bank, J.D. Applewoods SmokeHouse, Bearly Stressed, Board of Water & Light, Cadence Cycle, Capital Area Transportation Authority, Clarion Hotel & Conference Center, Central Michigan Graphics, Ingham County Parks Department, Creative Wellness Holistic Health Center, Dick's Sporting Goods, Dr. Pepper/7-Up, Eric's Cycling & Fitness, Gault Race Management, Gilbert Lumber Company, Glaceau Vitamin Water, Gordon Food Service Marketplace, Hammer Nutrition, Healthy & Fit Magazine, InStep

Reflexology, Michigan Department of Community Health, Meijer, Menards, Paramount Coffee, Greater Lansing Sports Authority, Steve's Produce, TechSmith, WMMQ 94.9 FM, Xango, Playmakers, Oak Park YMCA, Westside Community YMCA

Ben Wheeler stated that he helped to organize the volunteers for this event. He said the turnout was amazing and hopes this event is even bigger next year.

Jerry Ambrose, Executive Assistant to the Mayor, thanked everyone on behalf of Mayor Bernero. He hoped that next year's event will be just as big if not bigger.

3. Proclamation; Recognizing Latisha Heath of the Lansing Teen Court Program

Jerry Ambrose, Executive Assistant to the Mayor, was honored to present a proclamation to Latisha Heath for her work on the Lansing Teen Court Program. He said Latisha has helped raise awareness about crime, law and court processes through her service with the Lansing Teen Court.

President Leeman thanked Latisha for her hard work and efforts to assist the teens in Lansing.

Latisha thanked the Mayor and Mr. Ambrose for the honor. She appreciated having the opportunity to be recognized by the City for her contributions and that it has been a pleasure and an honor to serve the City and the teens.

Councilmember Wood stated that she had no idea what a success Teen Court would become when she brought the idea to former Mayor Hollister in 1999 and thanked Latisha for everything she has done for teens.

COUNCILMEMBERS' COMMENTS AND CITY CLERK'S ANNOUNCEMENTS:

Councilmember Kaltenbach announced that the Westside Festival will be held July 14th in the parking lot behind Toolan's and Parks Furniture Store from 12:00 p.m. to 9:00 p.m.

Councilmember Allen stated that this past Friday she attended a play at Boarshead Theater. She recommended that everyone should see a play at the Boarshead because they put on the best performances. She stated that on Saturday she participated in a Ham Radio Operator event.

Councilmember Matt stated that he attended a meeting that was held over the weekend for Neighborhood Associations within the 3rd Ward. He said the 3rd Ward will be having a walk event that will take place with the July 4th parade and anyone interested in participating should contact their neighborhood association. He announced that the Coachlight Commons Neighborhood Association will be meeting June 26th at 6:00 p.m. at the New Mt. Calvary Baptist Church.

Councilmember Wood announced that the Green Oaks Neighborhood Association will be meeting at Christ Lutheran Church on S. Pennsylvania Thursday, June 29th at 6:00 p.m.

Councilmember Quinney thanked all the businesses who participated in the Chili Cook-Off on Friday and stated that it was yet another great event and turnout. He said Old Town held their Festival of the Moon and Festival of the Sun this past weekend and they were also great events. He thanked Michael McFadden for holding a gospel festival on Saturday.

Vice President Jeffries announced that there will be a public meeting of the Planning and Development Committee to accept public comment on a redevelopment project on Wednesday at 6:30 p.m. at the Lansing Church of God and Christ.

City Clerk Swope stated that absentee ballots are now available to be picked up in the Clerk's Office and that all ballot requests to date have been mailed out. He stated that anyone needing an absentee ballot can visit the Clerk's website at clerk.cityoflansingmi.com for an application or by calling 483-4133. He said that if you have not registered to vote at your current address you have until Monday, July 9th to do so to be eligible to vote in the August election.

SPEAKER REGISTRATION FOR PUBLIC COMMENT

(Clerk Swope announced that the public comment registration form(s) for those intending to address Council on legislative or City government matters will be collected and that only those persons who have fully completed the form(s) will be permitted to speak.)

MAYOR'S COMMENTS

Jerry Ambrose, Executive Assistant to the Mayor, stated that the Chili Cook-Off was a huge success again this year. He said about 8,000 to 9,000 people turned out for this event. He spoke about the Blues on the Square event on Thursday. He spoke about the 4th of July events. He said that City Treasurer Kraus thanked all the residents who choose to pay their taxes via electronic transfer which saved the residents as well as the City lots of money. He said that City Treasurer Kraus also wanted to let everyone know that summer tax bills will be going out in the mail on Friday and are due by August 25th. He spoke about the Battle for Blood event between Lansing Police Department and the Lansing Fire Department and anyone interested can call 1-800-give-life to schedule an appointment.

SHOW CAUSE HEARINGS

Comment on Scheduled Show Cause Hearings:

1. In consideration of the issuance of orders for Make Safe or Demolish to the owners of property located at 513 Isbell St.
2. In consideration of the issuance of orders for Make Safe or Demolish to the owners of property located at 1414 Prospect St.
3. In consideration of the issuance of orders for Make Safe or Demolish to the owners of property located at 1223 N. Capitol Ave.

Councilmember Allen gave a brief overview of all three properties.

Councilmember Kaltenbach stated that he had been in contact with a Mr. Green who is in the process of trying to purchase the property at 1223 N. Capital.

Keon Green of 4313 Gull Rd said that he is in the process of purchasing the home and should be closing on it soon. He said that as soon as he closes he plans to pull all the permits needed to start repairs.

THE FOLLOWING SUSPENSION ITEMS WERE ADDED TO THE RECORD OF THE SHOW CAUSE HEARINGS:

* 2 email letters in support of the demolition of 1414 Prospect St. submitted by Jason Corie, Prospect Protectors Co-coordinator of 1406 Prospect St. and Joan Nelson, director of Allen Neighborhood Center located at 1619 E. Kalamazoo St.

* Email letter from Amy Lipset-Champion of 211 Rosamond St. in support of the demolition of the property located at 1414 Prospect St.

* Letter from Nancy L. Casey of 1416 Prospect St. in support of the demolition of the property located at 1414 Prospect St.

REFERRAL OF SHOW CAUSE HEARINGS

1. In consideration of the issuance of orders for Make Safe or Demolish to the owners of property located at 513 Isbell St.

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

2. In consideration of the issuance of orders for Make Safe or Demolish to the owners of property located at 1414 Prospect St.

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

3. In consideration of the issuance of orders for Make Safe or Demolish to the owners of property located at 1223 N. Capitol Ave.

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

**PUBLIC COMMENT
ON LEGISLATIVE MATTERS**

• Public Comment on Legislative Matters:

Legislative Matters included the following public hearings:

There were no Public Hearings

Eric Schertzing, Ingham County Treasurer, spoke in support of the Brownfield Redevelopment project for the Land Bank. He gave a brief overview of the Land Bank and what they will do with properties.

Christine Timmon of 2519 Washington spoke in support of rebuilding some of the older properties. She also spoke in support of the tribute for the African American Parade.

John Pollard of 1718 Blair spoke in opposition to the special assessment for Principal Shopping District. He spoke in opposition to the Noise Wavier for E T Mackenzie.

Darnell E. Oldham Sr of 3815 Berwick Dr spoke in opposition to the special assessment for Principal Shopping District. He questioned the location of the Land Bank Brownfield property.

**PUBLIC COMMENT
ON CITY GOVERNMENT RELATED MATTERS:**

Steven Sjoberg of 3519 Ramsgate Dr. stated concerns with Lansing Fire Department not using Mercy Ambulance Service when needed.

Jenifer Mayrberger of 3123 Felt St spoke about the CSO 013 NW project area.

Mike Bourcier of 3123 Felt St spoke about the CSO 013 NW project area.

Virginia Humble of 604 Fredrick St spoke about a business near her home with loud music at all hours of the night and how it has allegedly caused damage to her home.

Bob Adado of 401 N. Larch spoke about the construction on Larch causing problems for his business.

Bob Gray of 422 Dadson spoke about various city matters.

Justin Sleight of 5486 Great Lakes Dr. spoke about the Oliver Towers project.

Ann Kostin-McGill of 2513 Skye Rd spoke about the upcoming 4th of July events taking place in Lansing.

William Hubbell of 3916 Wedgewood spoke about the Memorial Review Board.

John Sturk of 412 W. Lapeer spoke about changes to the current ordinance for street performers.

Christine Timmon of 2519 Washington spoke about various city matters.

Frank S. Curtis X of 1137 West Allegan spoke about various city matters.

Darnell E. Oldham Sr of 3815 Berwick Dr spoke about various city matters.

Carl Calille of 306 Harriett Ave spoke about concerns with recent news reports regarding changes to the parking enforcement officers.

Rosie Taylor of 3208 Karen spoke about the changes to the parking enforcement officers.

John Pollard of 1718 Blair spoke about various city matters.

Mike Sears of 16910 Blackwalnut Ln., East Lansing, spoke about various city matters.

LEGISLATIVE MATTERS**RESOLUTIONS****RESOLUTION#223**

BY COUNCILMEMBER CAROL WOOD
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, in September 1999, several dedicated individuals from the Lansing area formed the Capital City African American Cultural Association, Inc.; and

WHEREAS, this group was formed for the purpose of providing educational and recreational opportunities for mid-Michigan citizens to experience African American arts, culture, and history; and

WHEREAS, the Capital City African American Cultural Association is a non-profit Michigan corporation that is continuing to grow, promote and coordinate African American arts and culture in the area; and

WHEREAS, James Riley Sr. will serve as Grand Marshall showcasing the achievements, culture, creativity, and diverse talents of African Americans; and

WHEREAS, the Association has planned its 8th Annual African American Parade and Family Festival Picnic scheduled for Saturday, August 4, 2007, at 11:00 a.m. in downtown Lansing. This major extravaganza is expected to draw thousands of spectators to downtown Lansing;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, wishes the Capital City African American Cultural Association tremendous success and good weather for its 8th Annual African American Parade and Family Reunion Picnic and declares August 4, 2007, African American Heritage Parade and Festival Day in the City of Lansing.

By Councilmember Wood

Motion Carried

RESOLUTION#234

BY THE PLANNING AND DEVELOPMENT COMMITTEE
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Ingham County Board of Commissioners, pursuant to and in accordance with the provisions of the Brownfield Redevelopment Financing Act, being Act 381 of the Public Acts of the State of Michigan of 1996, as amended (the "Act"), has established the Ingham County Brownfield Redevelopment Authority ("ICBRA") to facilitate the cleanup and redevelopment of Brownfields within Ingham County's Communities; and

WHEREAS, the ICBRA has created a Brownfield redevelopment plan for the Ingham County Land Bank Authority Redevelopment Project (the "Plan"); and

WHEREAS, the major emphasis of the Plan is neighborhood and corridor revitalization; and

WHEREAS, certain properties in the Plan are within the County of Ingham and the City of Lansing and are Eligible Property as that term is defined under Michigan's Brownfield Redevelopment Financing Act because they are owned or under the control of the Ingham County Land Bank Authority; and

WHEREAS, The Lansing Brownfield Redevelopment Authority (LBRA) staff has duly reviewed such Plan and has found it to be in compliance with the provisions of the Act and meets the following determinations and findings:

1. The Plan constitutes a public purpose under the Act;
2. The Plan meets all of the requirements for a Brownfield plan set forth in Section 13 of the Act;
3. The proposed method of financing the cost of the eligible activities, as described in the Plan, is feasible and the ICBRA has the ability to arrange the financing;
4. The costs of the eligible activities proposed in the Plan are reasonable and necessary to carry out the purposes of the Act; and
5. The amount of the captured taxable value estimated to result from the adoption of the Plan is reasonable; and

WHEREAS, The LBRA approved the Plan on June 5, 2007 the following reasons:

1. The ICBRA will cleanup and redevelop over 100 mostly vacant and tax reverted residential properties in the City of Lansing;
2. The project will focus mainly on single family residential properties.
3. The ICBRA has the ability to gain possession and clear title of tax reverted parcels quickly so they can be rehabilitated and sold to new owner occupants.

WHEREAS, prior to Council action on this request, it is necessary to hold a public hearing on the Plan, to allow for any resident, taxpayer or ad valorem taxing unit the right to appear and be heard;

NOW, THEREFORE, BE IT RESOLVED that a public hearing be held in the City Council Chambers of the City of Lansing, 10th Floor, Lansing City Hall, Lansing, Michigan, on July 9, 2007 at 7:00 p.m. on Ingham

County Brownfield Redevelopment Authority Brownfield Plan for the Redevelopment Of Ingham County Land Bank Fast Track Authority Parcels under the Brownfield Redevelopment Financing Act.

BE IT FURTHER RESOLVED that the City Clerk cause notice of such hearing to be published once in a publication of general circulation, and that the City Clerk also cause the legislative body of each taxing unit levying ad valorem taxes on this property, to be notified of ICBRA Plan and the scheduled public hearing.

By Councilmember Jeffries

Motion Carried

RESOLUTION#235

BY THE PLANNING AND DEVELOPMENT COMMITTEE
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING
BROWNFIELD PLAN #32
C&M Walker LLC – Melody Farms Brownfield Project

WHEREAS, the Lansing Brownfield Redevelopment Authority has prepared a Brownfield Plan pursuant to and in accordance with the provisions of the Brownfield Redevelopment Financing Act, Public Act 381 of 1996, as amended, for property commonly referred to as 2218 W. Willow Street, located in the City of Lansing; and

WHEREAS, prior to Council's action on this request, it is necessary to hold a public hearing on the Plan, to allow for any resident, taxpayer or ad valorem taxing unit the right to appear and be heard;

NOW, THEREFORE, BE IT RESOLVED that a public hearing be held in the City Council Chambers of the City of Lansing, 10th Floor, Lansing City Hall, Lansing, Michigan, on July 23, 2007 at 7:00 p.m. on Brownfield Plan #32 C&M Walker LLC-Melody Farms Brownfield Project under the Brownfield Redevelopment Financing Act, for property located within the boundary more particularly described as:

LOTS 46 & 47 EXC N 300FT ASSESSORS PLAT NO 11

And that the City Clerk cause notice of such hearing to be published twice in a publication of general circulation, no less than 20 days or more than 40 days prior to the date of the public hearing, and that the City Clerk also cause the legislative body of each taxing unit levying ad valorem taxes on this property, to be notified of Brownfield Plan #32 and the scheduled public hearing.

By Councilmember Jeffries

Motion Carried

RESOLUTION#236

BY THE COMMITTEE ON PLANNING AND DEVELOPMENT
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

LS-8-2007, 511 S. Pennsylvania Avenue
Lot Split Application

WHEREAS, Jeff Abood, on behalf of James Solomon, has requested a lot split (LS-8-07) to divide the property at 511 S. Pennsylvania Avenue into two separate parcels of land; and

WHEREAS, the resulting lots will be 60 feet wide and 79 feet in depth; and

WHEREAS, one of the resulting lots will be corner lot; and

WHEREAS, Sections 1236.07(b) & (c) of the Subdivision Ordinance requires a minimum lot depth of 100 feet and a minimum lot width of 70 feet for all corner lots; and

WHEREAS, the lot split will not change the residential character of

the area; and

WHEREAS, the lot split will not present a significant deviation from the existing development pattern in the area; and

WHEREAS, the Planning Board, at its meeting held on June 5, 2007 voted (4-0) to recommend approval of the lot split; and

WHEREAS, the Committee on Planning and Development has reviewed the recommendation of the Planning Board and concurs therewith;

NOW THEREFORE BE IT RESOLVED that the Lansing City Council hereby approves the lot split request (LS-8-2007) by Jeff Abood, on behalf of John Solomon, to divide the property at 511 S. Pennsylvania Avenue into two separate parcels of land, legally described as follows:

511 S. Pennsylvania:	The North 60 feet of Lots 20 & 21, Block 6, Lansing Improvement Company's Addition to the City of Lansing
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Vacant Parcel:	The South 60 feet of Lots 20 & 21, Block 6, Lansing Improvement Company's Addition to the City of Lansing
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By Councilmember Jeffries

Motion Carried

RESOLUTION#237

BY THE COMMITTEE ON DEVELOPMENT AND PLANNING
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Mayor has requested confirmation of the reappointment of Mary Toshach, 408 Barnes Avenue, Lansing, Michigan 48910 to an At Large position on the Historic District Commission for a term to expire June 30, 2008; and

WHEREAS, the Committee on Development and Planning met on June 20, 2007, and recommended confirmation of this reappointment.

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby confirms the Mayor's reappointment of Mary Toshach, 408 Barnes Avenue, Lansing, Michigan 48910 to an At Large position on the Historic District Commission for a term to expire June 30, 2008.

By Councilmember Jeffries

Motion Carried

RESOLUTION#238

BY THE COMMITTEE ON GENERAL SERVICES
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the application for a license to sell or offer to sell retail fireworks filed by Janet Stajos of American Eagle Superstore located at 5101 S. Pennsylvania was referred to the Committee on General Services; and

WHEREAS, the application had been previously approved by the appropriate departments within the City of Lansing; and

WHEREAS, Janet Stajos of American Eagle Superstore located at 5101 S. Pennsylvania agree that only retail fireworks that are approved for sale by the State of Michigan and the City of Lansing will be sold at the site;

NOW, THEREFORE, BE IT RESOLVED that the application for a license to sell or offer to sell retail fireworks filed by Janet Stajos of American Eagle Superstore located at 5101 S. Pennsylvania is

approved;

BE IT FURTHER RESOLVED that this license to sell retail fireworks will expire on April 30, 2008, as set forth in the City of Lansing Fireworks Ordinance, Chapter 1615 of the Lansing Code of Ordinances.

By Councilmember Kaltenbach

Motion Carried

RESOLUTION#239

BY THE COMMITTEE ON GENERAL SERVICES
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Dany Hanosh of 839 Rockweed Court, Milford, Michigan 48381 has applied for a Peddlers and Transient Merchants License for the purpose of selling various products at 3405 S. Cedar Street; and

WHEREAS, the Committee on General Services met on May 21, 2007, and recommends approval of the application of Dany Hanosh for a 2007 Peddlers and Transient Merchants License.

NOW, THEREFORE, BE IT RESOLVED, the Lansing City Council, hereby, approves the 2007 Peddlers and Transient Merchants License for Dany Hanosh for the purpose of selling miscellaneous items from a tent at 3405 S. Cedar Street.

By Councilmember Kaltenbach

Motion Carried

RESOLUTION#240

BY THE COMMITTEE ON GENERAL SERVICES
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the application for a license to sell or offer to sell retail fireworks filed by Justin Kesto of Justin Kesto, Incorporated located at 3405 S. Cedar Street was referred to the Committee on General Services; and

WHEREAS, the application had been previously approved by the appropriate departments within the City of Lansing; and

WHEREAS, Justin Kesto of Justin Kesto, Incorporated located at 3405 S. Cedar agree that only retail fireworks that are approved for sale by the State of Michigan and the City of Lansing will be sold at the site;

NOW, THEREFORE, BE IT RESOLVED that the application for a license to sell or offer to sell retail fireworks filed by Justin Kesto of Justin Kesto, Inc. located at 3405 S. Cedar is approved;

BE IT FURTHER RESOLVED that this license to sell retail fireworks will expire on April 30, 2008, as set forth in the City of Lansing Fireworks Ordinance, Chapter 1615 of the Lansing Code of Ordinances.

By Councilmember Kaltenbach

Motion Carried

RESOLUTION#241

BY THE COMMITTEE ON GENERAL SERVICES
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Six-S, Inc., has requested a waiver of the noise ordinance to help expedite construction in the CSO 013 Northwest Project Area; and

WHEREAS, the CSO 013 Northwest Project Area is roughly bound by Turner Street, Sheridan Road, Howe Avenue, and Northdale Street; and

WHEREAS, the City of Lansing Public Service Department recommends that Six-S, Inc., be permitted to work on Saturdays from 8:00 AM to 5:00 PM to conduct construction activities necessary to completion of the project; and

NOW, THEREFORE, BE IT RESOLVED that a public hearing be held on Monday, July 30, 2007, at 7:00 PM in the City of Lansing Council Chambers, 124 W. Michigan, in consideration of the request for issuance of a waiver of the noise ordinance to permit Six-S, Inc., to work Saturdays from 8:00 AM to 5:00 PM. This waiver of the noise ordinance would be applicable for the duration of the 2007 construction season and during the 2008 construction season.

By Councilmember Kaltenbach

Motion Carried

RESOLUTION#242

BY THE COMMITTEE ON GENERAL SERVICES
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Kamminga & Roodvoets, Inc., requested a waiver of the noise ordinance to help expedite construction in the CSO 018 Southeast Project Area; and

WHEREAS, the CSO 018 Southeast Project Area is roughly bound by Grand River Avenue, Case Street, Saginaw Street, and Clark Street; and

WHEREAS, the City of Lansing Public Service Department recommends that Kamminga & Roodvoets, Inc., be permitted to work on Saturdays from 8:00 AM to 8:00 PM to conduct construction activities necessary to completion of the project; and

WHEREAS, the Lansing City Council Committee on General Services held a public hearing in the City Council Chambers on June 11, 2007, in consideration of this request; no opposition was heard;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, approves the issuance of a waiver of the Noise Ordinance to permit Kamminga & Roodvoets, Inc., to work Saturdays from 8:00 AM to 8:00 PM. This waiver of the noise ordinance would be applicable for the duration of the 2007 construction season ~~and during the 2008 construction season through November 15, 2007.~~

By Councilmember Kaltenbach

To place an affirmative role on the resolution

By Councilmember Wood

To amend the resolved clause after "2007 construction season" by striking the balance of the clause and inserting "through November 15, 2007."

Motion Carried

The question being the motion to place an affirmative role on the resolution

Motion failed with Councilmembers Allen and Matt voting Nay

By Councilmember Allen to reconsider the vote by which the motion failed

Motion Carried

The question being the motion to place an affirmative role on the resolution

Motion Carried with Councilmember Matt voting Nay

RESOLUTION#243

BY THE COMMITTEE ON GENERAL SERVICES
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the E.T. MacKenzie Company requested a waiver of the noise ordinance to help expedite construction in the CSO 020 Area;

WHEREAS, the CSO 020 Area is located approximately one block north and two blocks south of Shiawassee Street between Pere Marquette Street and Pennsylvania Avenue, including Pennsylvania Avenue between Shiawassee Street and Michigan Avenue;

WHEREAS, the E.T. MacKenzie Company would like to be permitted to work on Saturday from 8:00 AM to 1:00 PM occasionally in order to perform construction work to keep the project on schedule;

WHEREAS, the Committee on General Services held a public hearing on June 11, 2007, in the City Council Chambers at 7:00 p.m. in consideration of this request for a waiver of the Noise Ordinance; no opposition was heard;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, approves the issuance of a waiver of the Noise Ordinance to permit the E.T. MacKenzie Company to work Saturdays from 8:00 AM to 1:00 PM. This waiver of the noise ordinance would be applicable for the duration of the 2007 construction season ~~and during the 2008 construction season through November 15, 2007.~~

By Councilmember Kaltenbach

To place an affirmative role on the resolution

By Councilmember Wood

To amend the resolved clause after "2007 construction season" by striking the balance of the clause and inserting "through November 15, 2007."

Motion Carried

The question being the motion to place an affirmative role on the resolution

Motion Carried with Councilmember Matt voting Nay

RESOLUTION#244

BY THE COMMITTEE ON GENERAL SERVICES
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Kamminga & Roodvoets, Inc., has requested a waiver of the noise ordinance to help expedite construction in the CSO 023 Project Area; and

WHEREAS, the CSO 023 Project Area is roughly bound by Larch Street, Prospect Street, Bingham Street, and Jerome Street; and

WHEREAS, the City of Lansing Public Service Department recommends that Kamminga & Roodvoets, Inc., be permitted to work on Saturdays from 8:00 AM to 8:00 PM to conduct construction activities necessary to completion of the project; and

WHEREAS, the Lansing City Council Committee on General Services held a public hearing in the City Council Chambers on June 11, 2007, in consideration of this request; no opposition was heard;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council approves Roodvoets, Inc., to work Saturdays from 8:00 AM to 8:00 PM. This waiver of the noise ordinance would be applicable for the duration of the 2007 construction season **through November 15, 2007.**

By Councilmember Kaltenbach

To place an affirmative role on the resolution

By Councilmember Wood

To amend the resolved clause after "2007 construction season" by inserting "through November 15, 2007"

Motion Carried

The question being the motion to place an affirmative role on the resolution

Motion Carried with Councilmember Matt voting Nay

RESOLUTION#245

BY THE COMMITTEE ON GENERAL SERVICES RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Kamminga & Roodvoets, Inc., has requested a waiver of the noise ordinance to help expedite construction in the CSO Downtown – Kalamazoo Street / Seymour Street Project Area; and

WHEREAS, the CSO Downtown – Kalamazoo Street / Seymour Street Project Area is roughly bound by Capitol Avenue, Washtenaw Street, Cedar Street, and Lenawee Street, and includes Seymour Street to the north between Shiawassee Street and Ottawa Street; and

WHEREAS, the City of Lansing Public Service Department recommends that Kamminga & Roodvoets, Inc., be permitted to conduct construction activities necessary to completion of the project by working:

- 1) on Saturday from 8:00 AM to 8:00 PM,
- 2) Monday through Friday, from 8:00 PM to 10:00 PM, and
- 3) twenty-four (24) hours a day, seven days a week, while performing construction activities relative to construction of the siphon structure in the Grand River floodplain and while performing the jack-and-bore operation for installation of new sanitary sewer mains in Grand Avenue.

This waiver of the noise ordinance would be applicable through November 15, 2007, the duration of the 2007 construction season; and

WHEREAS, the Lansing City Council Committee on General Services held a public hearing in the City Council Chambers on June 11, 2007, in consideration of this request; no opposition was heard;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council approves the request for issuance of a waiver of the Noise Ordinance to permit Kamminga & Roodvoets, Inc., to work:

- 1) Saturdays from 8:00 AM to 8:00 PM,
- 2) Monday through Friday, from 8:00 PM to 10:00 PM, and
- 3) twenty-four (24) hours a day, seven days a week, while performing construction activities relative to construction of the siphon structure in the Grand River floodplain and while performing the jack-and-bore operation for installation of new sanitary sewer mains in Grand Avenue.

This waiver of the noise ordinance would be applicable through November 15, 2007, the duration of the 2007 construction season.

By Councilmember Kaltenbach

Motion Carried with Councilmember Matt voting Nay

RESOLUTION#246

BY THE COMMITTEE ON PUBLIC SAFETY RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Code Compliance Manager has determined that the building located at **1800 Indiana, Parcel #33-01-01-10-203-021** legally described as: **Lots 226 & 227 Franklin Heights Sub** is an unsafe or dangerous building as defined in Section 1460.24 of the Lansing Uniform Housing Code and the Housing Law of Michigan and was red tagged on **April 22, 2006**; and

WHEREAS, a hearing was held by the Hearing Officers on **October 26, 2006**, at which the Hearing Officers determined that said building was an unsafe and dangerous building and ordered the building demolished or made safe by **November 26, 2006**; and

WHEREAS, said Hearing Officers filed a report of their findings and order with the City Council and requested the City Council to take appropriate action under the Lansing Housing and Premises Code and the Housing Law of Michigan; and

WHEREAS, the Housing Law of Michigan and Premises Code require a hearing be conducted to give the property owner an opportunity to show cause why a dangerous structure should not be demolished or otherwise made safe; and

WHEREAS, the City Council held a public hearing on **June 18, 2007**, to review the findings and the order of the Hearing Officers and the owners were notified in writing of said hearing and had an opportunity to appear and show cause why said building should not be demolished or otherwise made safe; and

WHEREAS, the Code Compliance Office has determined that compliance with the order of the Lansing Demolition Hearing Board Officer has not occurred; and

NOW, THEREFORE, BE IT RESOLVED that the owner(s) of **1800 Indiana** are hereby directed to comply with the order of the Hearing Officers to demolish or otherwise make safe the said building within **sixty (60) thirty (30) days** from the date of this resolution, **Monday, June 25, 2007.**

BE IT FURTHER RESOLVED that the property owner(s) is hereby notified that this order must be appealed within twenty days pursuant to MCL 125.542 and should the owners fail to comply with the Hearing Officers' order for demolition or make safe, the Manager of Code Compliance is hereby directed to proceed with demolition of said building.

BE IT FURTHER RESOLVED whether demolition is accomplished by said property owner or the city that appropriate seeding and restoration of property take place to avoid run-off to adjacent properties.

BE IT FURTHER RESOLVED that the cost of such demolition shall be a lien against the real property and shall be reported to the City Assessor.

BE IT FINALLY RESOLVED that the owners in whose name the property appears upon the last local tax assessment record shall be notified by the City Assessor of the amount of such cost by first class mail at the address shown on the records. Upon the owners failure to pay the same within thirty (30) days after mailing by the City Assessor of the notice of the amount thereof, the amount of said costs shall be

a lien and shall be filed and recovered as provided by law and the lien shall be collected and treated in the same manner as provided for property tax liens under the general property tax act.

By Councilmember Allen

To place an affirmative role on the resolution

By Councilmember Allen

To amend the first resolved clause after by striking "sixty (60)" and inserting "thirty (30)"

Motion Carried

By Councilmember Wood

To amend the resolution following the second resolved clause by inserting "BE IT FURTHER RESOLVED whether demolition is accomplished by said property owner or the city that appropriate seeding and restoration of property take place to avoid run-off to adjacent properties."

Motion Carried

The question being the motion to place an affirmative role on the resolution

Motion Carried

RESOLUTION#247

BY THE COMMITTEE ON PUBLIC SAFETY
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Code Compliance Manager has determined that the building located at **129 E. Reasoner, Parcel #33-01-01-09-201-091** legally described as: **E 50 Ft Lot 5 Block 5 Turner & Smiths Sub** is an unsafe or dangerous building as defined in Section 1460.24 of the Lansing Uniform Housing Code and the Housing Law of Michigan and was red tagged on **April 22, 2006**; and

WHEREAS, a hearing was held by the Hearing Officers on **October 26, 2006**, at which the Hearing Officers determined that said building was an unsafe and dangerous building and ordered the building demolished or made safe by **November 26, 2006**; and

WHEREAS, said Hearing Officers filed a report of their findings and order with the City Council and requested the City Council to take appropriate action under the Lansing Housing and Premises Code and the Housing Law of Michigan; and

WHEREAS, the Housing Law of Michigan and Premises Code require a hearing be conducted to give the property owner an opportunity to show cause why a dangerous structure should not be demolished or otherwise made safe; and

WHEREAS, the City Council held a public hearing on **June 18, 2007**, to review the findings and the order of the Hearing Officers and the owners were notified in writing of said hearing and had an opportunity to appear and show cause why said building should not be demolished or otherwise made safe; and

WHEREAS, the Code Compliance Office has determined that compliance with the order of the Lansing Demolition Hearing Board Officer has not occurred; and

NOW, THEREFORE, BE IT RESOLVED that the owner(s) of **129 E. Reasoner** are hereby directed to comply with the order of the Hearing Officers to demolish or otherwise make safe the said building within **sixty (60) days** from the date of this resolution, **Monday, June 25,**

2007.

~~BE IT FURTHER RESOLVED that the property owner is granted conditional extended work hours to include Saturday and Sunday from 8 a.m. to 5 p.m. based on the progress of repairs and subject to revocation at the discretion of the Code Compliance Office.~~

BE IT FURTHER RESOLVED that the property owner(s) is hereby notified that this order must be appealed within twenty days pursuant to MCL 125.542 and should the owners fail to comply with the Hearing Officers' order for demolition or make safe, the Manager of Code Compliance is hereby directed to proceed with demolition of said building.

BE IT FURTHER RESOLVED whether demolition is accomplished by said property owner or the city that appropriate seeding and restoration of property take place to avoid run-off to adjacent properties.

BE IT FURTHER RESOLVED that the cost of such demolition shall be a lien against the real property and shall be reported to the City Assessor.

BE IT FINALLY RESOLVED that the owners in whose name the property appears upon the last local tax assessment record shall be notified by the City Assessor of the amount of such cost by first class mail at the address shown on the records. Upon the owners failure to pay the same within thirty (30) days after mailing by the City Assessor of the notice of the amount thereof, the amount of said costs shall be a lien and shall be filed and recovered as provided by law and the lien shall be collected and treated in the same manner as provided for property tax liens under the general property tax act.

By Councilmember Allen

To place an affirmative role on the resolution

By Councilmember Jeffries

To strike the second resolved clause.

Motion Carried

By Councilmember Wood

To amend the resolution following the second resolved clause by inserting "BE IT FURTHER RESOLVED whether demolition is accomplished by said property owner or the city that appropriate seeding and restoration of property take place to avoid run-off to adjacent properties."

Motion Carried

The question being the motion to place an affirmative role on the resolution

Motion Carried

RESOLUTION#248

BY THE COMMITTEE ON PUBLIC SERVICES
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the City of Lansing prepared a Combined Sewer Overflow Control Project Plan in April 1991 for a study area which included the City of Lansing Sewer Service Area; and

WHEREAS, by resolution (#261) dated April 30, 1991, the Lansing City Council adopted Alternative One: Combined Sewer Separation, as the selected alternative to be constructed over a period of 30 years; and

WHEREAS, since the time of the adoption of the Project Plan, the City has received twenty loans from the Michigan State Revolving Fund (SRF) Loan Program for the construction of segments of the overall sewer separation project; and

WHEREAS, as a requirement of the SRF Loan Program, the City of Lansing has prepared a Project Plan Amendment, entitled "Lansing Combined Sewer Overflow Control Program, Project Plan Amendment No. 3"; and

WHEREAS, the overall sewer separation project adopted in the original Project Plan remains unchanged; and

WHEREAS, Amendment NO. 3 provides general progress update of the CSO Project Plan and presents supplemental detail of the next five work segments including scheduling changes to spread the downtown sewer separation projects over a longer time period in accordance with the segmentation recommendations included in the 2020 Infrastructure Task Force Report and deferring the Lansing Avenue sanitary equalization basin to Phase VI; and

NOW, THEREFORE, BE IT RESOLVED by the Lansing City Council that the Council supports CSO Project Plan Amendment No. 3, which includes a general progress update of the CSO Program and presents supplemental detail of the next five work segments; and

BE IT FURTHER RESOLVED, that the City of Lansing pledges to actively support the financing of its fair local share of the costs, required to implement this plan.

By Councilmember Leeman

Motion Carried

RESOLUTION#249

BY THE COMMITTEE ON PUBLIC SAFETY
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Code Compliance Manager determined that the building located at **1415 Prospect**, legally described as: **3301-01-15-405-051**, Legal Description: **Lot 50 Ludwig Park Sub**, is an unsafe or dangerous building as defined in Section 1460.24 of the Lansing Uniform Housing Code and the Housing Law of Michigan; and

WHEREAS, the Code Compliance officer red-tagged the building located at **1415 Prospect** on June 10, 2005, and requested the property owner be ordered to demolish or otherwise make safe the structure; and

WHEREAS, on August 24, 2006, the Lansing Demolition Board Hearing Officer determined that said building was an unsafe and dangerous building as defined in the Housing Law of Michigan (MCLA 125.539) and the Lansing Housing and Premises Code (1460.09) and ordered the property owner to make safe or demolish the structure; and

WHEREAS, the Code Compliance Office has determined that compliance with the order of the Lansing Demolition Board has not occurred; and

WHEREAS, the Housing Law of Michigan and the House and Premises Code require that a hearing be conducted to give the property owner an opportunity to show cause why a dangerous structure should not be demolished or otherwise made safe; and

WHEREAS, the City Council scheduled a hearing on Monday, November 20, 2006, to review the findings and order of the Lansing Demolition Board Officer regarding the structure at 1125 Warwick and the owners of the structure were notified in writing of said hearing and had an opportunity to appear and show cause why said building should not be demolished or otherwise made safe; and

WHEREAS, the City Council approved Resolution #532 on Monday, November 27, 2006, to direct the owners of **1415 Prospect** to comply with the Hearing Officers to demolish or otherwise make safe the said building within 60 days; and

WHEREAS, on June 20, 2007, the Committee on Public Safety concurred with the recommendation from the Manager of Code Compliance to grant the owners an extension for 90 days, to finalize the repairs which have already received the initial inspections and approvals from the Building Safety Office; and

NOW THEREFORE BE IT RESOLVED that the owner (s) of 1415 Prospect St. are hereby directed to comply with the orders of the Housing Officers to demolish or otherwise make safe the said building, within ninety (90) days from the date of this resolution, Monday, June 25, 2007.

BE IT FURTHER RESOLVED that should the owners fail to comply with the Hearing Officers order for demolition or make safe, the Manager of Code Compliance is hereby directed to proceed with demolition of said building.

BE IT FURTHER RESOLVED that the cost of such demolition shall be a lien against the real property and shall be reported to the City Assessor.

BE IT FINALLY RESOLVED that the owners in whose name the property appears upon the last local tax assessment record shall be notified by the City Assessor of the amount of such cost by first class mail at the address shown on the records. Upon the owners failure to pay the same within thirty (30) days after mailing by the City Assessor of the notice of the amount thereof, the amount of said costs shall be a lien and shall be filed and recovered as provided by law and the lien shall be collected and treated in the same manner as provided for property tax liens under the general property tax act.

By Councilmember Allen

To place an affirmative role on the resolution

By Councilmember Allen

To amend the resolution after the final whereas clause by inserting "NOW THEREFORE BE IT RESOLVED that the owner (s) of 1415 Prospect St. are hereby directed to comply with the orders of the Housing Officers to demolish or otherwise make safe the said building, within ninety (90) days from the date of this resolution, Monday, June 25, 2007."

Motion Carried

The question being the motion to place an affirmative role on the resolution

Motion Carried

RESOLUTION#250

BY THE COMMITTEE ON WAYS AND MEANS
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the City of Lansing desires to encourage and support shopping and commercial activity in the Principal Shopping District area by public improvement to develop, redevelop, promote economic activity and provide for the maintenance, security and operation of the Principal Shopping District by such public improvement which especially benefits any property within a district; and

WHEREAS, the City of Lansing desires to encourage promotional efforts, business recruitment in all zones and physical improvements and maintenance services (in zone "A") of the Principal Shopping

District; and

WHEREAS, the City of Lansing has determined that this should be provided through special assessment zones established for the purpose of financing Principal Shopping District activities; and

WHEREAS, the City of Lansing has determined that the cost of providing such services should be recovered by a special assessment against properties especially benefited as authorized by Act No. 120 of the Public Acts of 1961, as amended, and Chapters 812 and 1026 of the Lansing Code of Ordinances; and

WHEREAS, the City of Lansing has reviewed the proposed special assessment boundaries; and

WHEREAS, the City of Lansing has also reviewed the proposed services within the boundaries with an estimated cost of these services, and

WHEREAS, a public hearing was held on June 18, 2007, in the City Council Chamber, 10th Floor City Hall, Lansing, Michigan in consideration of the establishment of the Principal Shopping District special assessment roll.

WHEREAS, the City Clerk published notice of the hearing to confirm the special assessment roll in a newspaper of general circulation at least 10 (ten) days prior to the date of the hearing;

NOW, THEREFORE, BE IT RESOLVED that the special assessment zones for the Principal Shopping District are established by City Council as follows:

Principal Shopping District: Beginning at the intersection of West right-of-way line of S. Capitol Avenue and the north right-of-way line of W. St. Joseph Street, "Point of Beginning," North along S. Capitol Avenue right-of-way line to the center-line of W. Washtenaw Street, west along the centerline of W. Washtenaw Street to the center-line of Townsend Street, north along the center-line of Townsend Street to the center-line of W. Allegan Street, then east along the W. Allegan Street center-line to the center-line of S. Capitol Avenue, north along the S. Capitol Avenue center-line to the center-line of W. Saginaw Street, east along the W. Saginaw Street center-line to the west right-of-way line of N. Washington Avenue, north along the N. Washington Avenue right-of-way line to the north right-of-way line of W. Grand River Avenue, east along the W. Grand River Avenue right-of-way line to the west right-of-way line of Turner Street, north along the Turner Street right-of-way line to the north right-of-way line of Clinton Street, east along Clinton Street right-of-way line to the east right-of-way line of Center Street, south along the Center Street right-of-way line to the north right-of-way line of Liberty Street, east along the Liberty Street right-of-way line to the centerline of N. Cedar Street, south along the N. Cedar Street center-line to the south right-of-way line of East Grand River Avenue, east along the E. Grand River Avenue right-of-way line to the west right-of-way line of N. Larch Street, south along the N. Larch Street right-of-way line to the center-line of E. Shiawassee Street, east along the E. Shiawassee Street center-line to the west right-of-way line of the Conrail right-of-way, south along the Conrail right-of-way line to the south right-of-way line of E. Michigan Avenue, west along the E. Michigan Avenue right-of-way to the east right-of-way line of S. Larch Street, south along the S. Larch Street right-of-way line to the center-line of E. Kalamazoo Street, then west along E. Kalamazoo Street center-line to the center-line of S. Larch Street, then south along the S. Larch Street center-line to the north right-of-way line of St. Joseph Street (extended), west along the St. Joseph Street right-of-way line (extended) to the Point of Beginning.

The Principal Shopping District, as described herein, shall contain zones as described below:

Zone A: Beginning at the intersection of the center-line of W. Shiawassee Street and the centerline of N. Capitol Avenue, the "Point of Beginning - A", east along the center-line of Shiawassee Street to the

west right-of-way line of the Conrail right-of-way, south along the Conrail right-of-way line to the center-line of E. Michigan Avenue, west along the center-line of E. Michigan Avenue to the center-line of S. Cedar Street, south along the S. Cedar Street center-line to the center-line of E. Kalamazoo Street, west along the E. Kalamazoo Street center-line to the center-line of Museum Drive, northwesterly along the center-line of Museum Drive to the north line of Impression Five Condominium (extended), west along the said north line of Impression Five Condominium (extended) to the center-line of the Grand River, southeasterly along the center of the Grand River to the center-line of E. Kalamazoo Street, continuing along the center-line of E. Kalamazoo Street to the center-line of Grand Avenue, south along the Grand Avenue center-line to the center-line of W. Lenawee Street, west along the W. Lenawee Street center-line to the west right-of-way line of S. Capitol Avenue, north along the west right-of-way line of S. Capitol Avenue to W. Washtenaw street, west along the centerline of W. Washtenaw Street to the centerline of Townsend Street, north along the centerline of Townsend Street to the centerline of W. Allegan Street, then east along the W. Allegan Street center-line of W. Allegan Street to the center-line of S. Capitol Avenue, north along the S. Capitol Avenue center-line to the Point of Beginning - A.

Zone B: Beginning at the intersection of west right-of-way line of N. Washington Avenue and the north right-of-way line of W. Grand River Avenue, the "Point of Beginning - B," east along the W. Grand River right-of-way line to the west right-of-way line of Turner Street, north along the Turner Street right-of-way line to the north right-of-way line of Clinton Street, east along the Clinton Street right-of-way line to the east right-of-way line of Center Street, south along the Center Street right-of-way line to the north right-of-way line of Liberty Street, east along the Liberty Street right-of-way line to the center, line of N. Cedar Street, south along the N. Cedar Street center-line to the centerline of E. Maple Street, west along E. Maple Street center-line (as aligned) to the west right-of-way line of N. Washington Avenue, north along the N. Washington Avenue right-of-way line to the Point of Beginning - B.

Zone C - North: Beginning at the intersection of the center-line of N. Capitol Avenue and the center-line of W. Shiawassee Street, the "Point of Beginning - C (North)," north along the N. Capitol Avenue center-line to the center-line of W. Saginaw Street, east along the W. Saginaw Street center-line to west right-of-way line of N. Washington Avenue, north along the N. Washington Avenue right-of-way line to the center-line of E. Maple Street, east along E. Maple Street (as aligned) center-line to the center-line of N. Cedar Street, north along the N. Cedar Street center-line to the south right-of-way line of E. Grand River Avenue, east along the E. Grand River Avenue right-of-way line to the west right-of-way line of N. Larch Street, south along the N. Larch Street right-of-way line to the center-line of E. Shiawassee Street, west along the E. Shiawassee Street Center-line to the Point of Beginning - C (North).

Zone C - South: Beginning at the intersection of the west right-of-way line of S. Capitol Avenue and the center-line of W. Lenawee Street, the "Point of Beginning - C (South)," east along the W. Lenawee Street center-line to the center-line of Grand Avenue, north along Grand Avenue centerline to the center-line of E. Kalamazoo Street, east along the Kalamazoo Street center-line to the center of the Grand River, northwesterly along the center-line of the Grand River to the north line of Impression Five Condominium (extended), east along the north line of Impression Five Condominium (extended) to the center-line of Museum Drive, southeasterly along the center-line of Museum Drive to the center-line of E. Kalamazoo Street, east along the Kalamazoo Street centerline to the center-line of S. Cedar Street, north along the Cedar Street center-line to the center-line of E. Michigan Avenue, east along the E. Michigan Avenue center-line to the west right-of-way line of the Conrail right-of-way, south along the Conrail right-of-way line to the south right-of-way line of E. Michigan Avenue, then west along the E. Michigan Avenue right-of-way line to the east right-of-way line of S. Larch Street, south along the S. Larch Street right-of-way line to the center-line of E. Kalamazoo Street,

west along the E. Kalamazoo Street center-line to the center-line of S. Larch Street, south along the S. Larch Street center-line to the north right-of-way line of St. Joseph Street (extended), west along the St. Joseph Street right-of-way line (extended) to the west right-of-way line of S. Capitol Avenue, then north along the S. Capitol Avenue right-of-way to the Point of Beginning - C (South).

BE IT FURTHER RESOLVED, that the Principal Shopping District public improvements and services be supported by a special assessment of these costs against the properties especially benefited as follows:

ZONE A - 13.2 cents per square foot for first floor and 6 cents per square foot for second floors and above, parking structures at the rate of 4.8 cents per square foot for the main floors and 2.4 cents per square foot for second floors and above, parking lots at 4.8 cents per square foot, vacant land at 1.2 cents per square foot, and industrial & manufacturing properties at 2.4 cents per square foot for the first floor and 1.2 cents per square foot for second floors and above; for a total of \$395,157.96.

ZONE B - 9.2 cents per square foot for first floor and 3.45 cents per square foot for second floors and above, parking structures at the rate of 4.6 cents per square foot for the main floors and 2.3 cents per square foot for second floors and above, parking lots at 4.6 cents per square foot, vacant land at 1.15 cents per square foot, and industrial & manufacturing properties at 2.3 cents per square foot for the first floor and 1.15 cents per square foot for second floors and above; for a total of \$22,542.70.

ZONE C (North & South) - 2 cents per square foot for first floor and 1 cent per square foot for second floors and above, parking structures at the rate of 2 cents per square foot for the main floors and 1 cent per square foot for second floors and above, parking lots at 2 cents per square foot, vacant land at 1 cent per square foot, and industrial & manufacturing properties at 2 cents per square foot for the first floor and 1 cent per square foot for second floors and above; for a total of \$29,285.75.

BE IT FURTHER RESOLVED that the cost and expense of making estimates, plans and assessments incidental to the preparation of the assessment and the role, and providing notices shall be included in the expense of the assessment.

BE IT FURTHER RESOLVED that the Principal Shopping District public improvement and services be financed by a special assessment of these costs against the properties especially benefited as contained in the assessment Roll No. PSD07-A/PSD07-B/PSD07-C, compiled by the City Assessor and presented to Council with this resolution.

BE IT FURTHER RESOLVED that in zones "A," "B," and "C" (North & South), all property owners whose assessment would otherwise exceed \$10,000.00 per one parcel, shall be capped at no more than \$10,000.00 per one parcel on an annual basis.

BE IT FURTHER RESOLVED that in zones "A," "B," and "C" (North & South), any property owned by a non-profit entity which as received a Federal IRS Section 501(c)(3) non-profit designation shall have their property assessment capped at 40% of the proposed assessment rate; provided that said entity shall file with the City Assessor, not later than August 13, 2007 a written application for non-profit Principal Shopping District designation, together with a copy of said determination of IRS Section 501 (c)(3) status.

BE IT FINALLY RESOLVED that the notice to the affected owners of the properties in said district be given in accordance with Chapter 1026 of the Lansing Code of Ordinances.

By Councilmember Wood

Motion Carried

RESOLUTION#251

BY THE COMMITTEE OF THE WHOLE
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING
WHEREAS, the Mayor has requested confirmation of the appointment of Rick Kibbey, 1614 Lindbergh Drive, Lansing, Michigan 48910 to the Potter Park Board for a term to expire December 31, 2009; and

WHEREAS, the Committee on Public Services met on June 20, 2007, and recommended confirmation of this appointment.

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby confirms the Mayor's appointment of Rick Kibbey, 1614 Lindbergh Drive, Lansing, Michigan 48910 to the Potter Park Board for a term to expire December 31, 2009.

By Councilmember Jeffries

Motion Carried

RESOLUTION#252

BY THE COMMITTEE OF THE WHOLE
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Act 499 of the State of Michigan Public Acts of 2002 encourages all agencies that spend state transportation funds on roads and bridges to implement an asset management approach, under the leadership and oversight of the Michigan Transportation Asset Management Council (TAMC); and

WHEREAS, asset management is defined as "an ongoing process of maintaining, upgrading, and operating physical assets cost-effectively based on a continuous physical inventory and condition assessment," and

WHEREAS, with the passage of Act 499 and the adoption of an asset management plan, the City of Lansing is beginning to look at our street conditions as a complete system, with the "right mix of fixes at the right time" approach to street repair and shifting away from emphasis on the "worst case first" approach to street repair projects; and

WHEREAS, Act 338 of the State of Michigan Public Acts of 2006 amends Act 51 of the Public Acts of 1951 and states in Section 6 that a city shall not transfer more than 50% of its annual major street funding for the local street system unless it has adopted and is following an asset management process for its major and local street systems; and

WHEREAS, once the City adopts and implements an asset management process, Act 338 allows unrestricted, flexibility for transferring between major street and local street funds based on the needs of the City; and

WHEREAS, the City of Lansing Public Service Department has drafted an asset management plan to assess current street conditions, set target funding levels, identify candidate projects, set priorities, develop a multi-year program, and report results; and

WHEREAS, the Public Service Department has presented the "Street System Asset Management Plan" to the Mayor and Council for review and recommended adoption of said plan;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council hereby adopts the Street System Asset Management Plan as drafted April 27, 2007.

By Councilmember Jeffries

Motion Carried

REPORTS FROM COUNCIL COMMITTEES

There were no Committee Reports

ORDINANCES FOR INTRODUCTION

There were no Ordinances for Introduction

ORDINANCES FOR PASSAGE

There were no Ordinances for Passage

**REPORTS FROM CITY OFFICERS, BOARDS, AND
COMMISSIONS;
COMMUNICATIONS AND PETITIONS;
AND OTHER CITY RELATED MATTERS**

By Councilmember Jeffries that all items be considered as being read in full and that President Leeman make the appropriate referrals

Motion Carried

- Reports from City Officers, Board and Commissions:

- a. Letter from the City Clerk submitting minutes of Boards and Authorities placed on file in the City Clerk's Office

RECEIVED AND PLACED ON FILE

- b. Letter from the City Clerk submitting an application for a Public Display of Fireworks filed by Lansing Parks and Recreation and Charles Holm to be held on July 4, 2007 with a rain date of July 5, 2007

*SUSPENSION ITEM-REFERRED TO THE COMMITTEE OF THE WHOLE

- c. Letter from the City Attorney regarding Petition of the Lansing City Treasurer

RECEIVED AND PLACED ON FILE

- d. Letter from the Memorial Review Board requesting an Intern position

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

- e. Letter from the Telecommunications & Cable Advisory Board stating concerns with Comcast Cable

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

- f. Letters from the Mayor re:

- i. Transfer of Funds; State/Federal Programs, P.A. 302 to support training for the Police Department

REFERRED TO THE COMMITTEE ON WAYS AND MEANS AND INTERNAL AUDIT

- ii. Transfer of Funds; Justice Assistance Grant (JAG)

REFERRED TO THE COMMITTEE ON WAYS AND MEANS AND INTERNAL AUDIT

- iii. Public Improvement III; Sidewalk, Driveway, Curb and Gutter and necessary storm drainage improvements on Haag Rd. from Miller Rd. to Martin Luther King Jr. Blvd. excepting all public streets and alleys and other land deemed not benefited, and request for a Public Hearing

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES

- Communications and Petitions, and Other City Related Matters:

- a. Notice from Ingham Intermediate School District submitting the 2007 Tax Levy and Millage Reduction Fraction Computation for Okemos Public Schools

REFERRED TO THE CITY ASSESSOR AND REFERRED TO THE FINANCE DEPARTMENT AND REFERRED TO THE CITY ATTORNEY

- b. Application for Community Funding filed by Wood-Mere Neighborhood Association for the Woodmere Neighborhood Block Party to be held August 7, 2007

RECEIVED AND PLACED ON FILE

- c. Petition of Complaint submitted by the residents of Brookland Blvd. containing nine (9) signatures requesting the City of Lansing enforce codes and ordinances related to overnight parking, trash and debris for property located at 564 Brookland Blvd.

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

- d. Application for Naming and Renaming Memorials in the City of Lansing filed by Richard E. Leeper to rename the baseball field at Westside Park to Leeper's Field at Westside Park

REFERRED TO THE MEMORIAL REVIEW BOARD

- e. Letter from Jennifer Christian, no address given, in support of the PSD Assessment

RECEIVED AND PLACED ON FILE

- f. Letter from Garry Kellogg of 137 E. Reasoner St. regarding the issuance of orders for Make Safe or Demolish to the owner of property located at 129 E. Reasoner St.

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

- g. Letter from Fred Williams of 350 E. Gier St. stating concerns with the response of the Lansing Police Department

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

REMARKS BY COUNCILMEMBERS

City Attorney Smith stated that the Code Compliance Office has the authority to issue after-hours permits to homeowners to allow them to work on their properties.

Vice President Jeffries stated that he handed out a report to everyone on the Brownfield Redevelopment property.

President Leeman asked Jerry Ambrose to give an update at the next Committee of the Whole meeting on the petitions that were filed on the closing of Clinton St. He also asked Jerry to give a report pertaining to the concerns of the parking enforcement officers.

Councilmember Kaltenbach asked if the allegations being made about the possible layoff of parking enforcement officers are true, and if so, are they due to the lower number of tickets being issued.

Councilmember Wood asked how changes to parking enforcement affect the budget that just passed. She asked if the decrease in issuing tickets was projected in the revenue for parking fees.

President Leeman stated that Councilmember Matt will be taking over as Chair of the Committee on Intergovernmental Relations with Councilmember Qinnery as Vice Chair, and President Leeman as a member.

**REMARKS BY THE MAYOR
OR EXECUTIVE ASSISTANT**

Jerry Ambrose, Executive Assistant to the Mayor, stated that there have been many meetings with the Parking Enforcement Officers, their concerns are being addressed and that no one is in jeopardy of being laid off. He stated that the decision to have parking enforcement officers walk was about improving services and not about decreasing revenues.

ADJOURNED TIME 10:32 P.M.

CHRIS SWOPE, CITY CLERK



**OFFICIAL PROCEEDINGS OF
THE CITY COUNCIL
CITY OF LANSING
PROCEEDINGS OF JULY 2, 2007**

City Council Chambers
Lansing, Michigan

The City Council of the City of Lansing met in regular session and was called to order at 7:00 p.m. by President Leeman.

PRESENT: Councilmembers Allen, Dunbar, Jeffries, Kaltenbach, Leeman, Matt, Quinney, Wood

ABSENT: Councilmember Jeffries

The Council observed a moment of Meditation followed by the Pledge of Allegiance led by President Leeman

APPROVAL OF MINUTES

By Councilmember Wood

To approve the printed Council Proceedings of June 25, 2007

Motion carried

CONSIDERATION OF LATE ITEMS

By Councilmember Allen

To suspend City Council Rule #11 to allow for Consideration of Late Items

Motion carried

The following items were added to the agenda:

1. From Councilmember Wood; Letter from the Mayor re: Grant Acceptance; Homeland Security Grant Amendment
2. From Councilmember Quinney; Tribute, 2007 Elks State Oratorical Contest and Beauty & Talent Pageant Winners
3. From Councilmember Kaltenbach; Setting a Public Hearing for August 6, 2007 in consideration of a Request for Waiver of the Provisions of the Noise Ordinance contained in Chapter 654 of the Code of Ordinances for Six-S, Inc. to work on Saturdays from 8:00 AM to 5:00 PM for construction activities in the CSO 013 Northwest Project Area

TABLED ITEMS

SPECIAL CEREMONIES

• Special Ceremonies

1. Presentation; 2007 Elks State Oratorical Contest and Beauty & Talent Pageant Winners

Councilmember Quinney stated he was honored to present this special tribute to Courtney Cole and Taylor Singleton and that these ladies have done a wonderful job.

City Clerk Swope read the following Resolution:

RESOLUTION#253

BY COUNCILMEMBER DERRICK QUINNEY
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Improved, Benevolent Protective Order of Elks of the World is a 108 year-old fraternal organization that sponsors an annual Oratorical Contest for contestants who are in the 11th and 12th grades and a Beauty and Talent Pageant for women of the age 16 through 20; and

WHEREAS, contestants in the Oratorical Contest are required to present a memorized speech, not to exceed 10 minutes, and those in the Beauty and Talent Pageant compete in three categories: Swimwear, Talent, and Eveningwear; all are eligible to win monetary awards as they proceed through the competition; and

WHEREAS, Courtney Cole, daughter of Michael Cole and the late Rosa J. Cole and recent graduate of Holt Senior High School, competed and took 1st Place in the Oratorical Contest in the local level representing Lansing I.B.P.O. Elks of the World, Silver Leaf Lodge #534 and Capitol City Temple #308; and

WHEREAS, Taylor Singleton, daughter of Rodney and Terri Singleton and upcoming senior at J.W. Sexton High School, competed and took 1st Place in the Beauty and Talent competition at the local level representing Lansing I.B.P.O. Elks of the World, Silver Leaf Lodge #534 and Capitol City Temple #308; and

WHEREAS, after winning the local level, Courtney and Taylor traveled to Romulus, Michigan to compete in the Elks Annual Michigan State Association Convention, June 12, 2007 through June 17, 2007; and

WHEREAS, Courtney Cole gave a well-respected speech and received "honorable mention" at the Annual Michigan State Association Convention; and

WHEREAS, Taylor Singleton received "1st Place runner-up honors" and was selected "Miss Congeniality" at the Annual Michigan State Association Convention; and

WHEREAS, Taylor Singleton has an opportunity to compete in the Regional level, making her eligible for a \$1,500 scholarship, and if she wins at the Regional level, she could go to the National level and be eligible for a \$7,500 scholarship; and

NOW, THEREFORE, BE IT RESOLVED, that the Lansing City Council extends a warm "thank you" to the Lansing Elks Silver Leaf Lodge #534 and Capitol City Temple #308 for their commitment to education.

BE IT FURTHER RESOLVED that the Lansing City Council, hereby, wishes to congratulate Courtney Cole and Taylor Singleton on their achievements at the 2007 Elks State Oratorical Contest and Beauty & Talent Pageant. We wish you continued success in all of your future endeavors!

By Councilmember Quinney

Motion Carried

Larry Ford stated that he and his assistant have worked for many years trying to help Lansing's young men and women to get involved in this program to obtain scholarships for college. He said this organization has been around for 108 years. He said it has been a thrill to have had the opportunity to work with these young ladies.

Mayor Bernero congratulated the ladies and their coaches on a job well done and said this group really works hard helping kids in Lansing reach their goals.

Councilmember Matt congratulated the girls and thanked Larry Ford and all the others who put in so much time with kids in Lansing.

Courtney Cole thanked her family for their support and Mr. Ford for working with her to help reach her goals. She also thanked the Mayor and the City Council for this honor.

Taylor Singleton thanked her family for their love and support and thanked her Uncle Derrick Quinney and the rest of the City Council.

COUNCILMEMBERS' COMMENTS AND CITY CLERK'S ANNOUNCEMENTS:

Councilmember Kaltenbach announced that the Westside Summerfest will be held July 14th from 12:00 p.m. to 9:00 p.m. in the parking lot behind Toolan's Deli and Parks Furniture. The Greater Lansing Area Horseshoe Club is hosting a horseshoe pitching tournament on July 7th and 8th at Westside Park.

Councilmember Allen announced that the BoarsHead will be showing "The All Night Strut" for one more week and encouraged everyone to see it.

Councilmember Dunbar thanked all the LGBT support groups for inviting her to attend the Michigan Pride Rally at the Capitol steps over the weekend. She stated that she attended the Grand Opening of the Zoo and it was a great event. She said hello to college friend, Eric Merckling.

Councilmember Wood announced that the Baker/Donora Watch and Neighbors United In Action will be having a joint meeting on Tuesday, July 3rd at 6:00 p.m. The Genesee Neighborhood Association will be meeting on Thursday at 7:00 p.m. at 528 N. Martin Luther King Jr. Blvd. Common Grit, which is a bike race, will take place through downtown on July 15th and those wishing to register can go online to sportbaseonline.com. Ingham County Animal Control and the Capital Area Humane Society will be hosting an event to license pets on July 20th at the South Precinct. The Greater Lansing Housing Coalition is hosting free lead practice training on Tuesday, July 10th for professional builders and on July 11th for homeowners, from 8:30 a.m. to 4:30 p.m. Both sessions will be held at North Network Center located at 600 W. Willow St., and more information can be obtained by calling 372-5980.

Councilmember Matt announced events that will be taking place for the 4th of July Holiday. He stated that if any resident of the 3rd Ward would like to walk in the Parade to contact him at 394-5582.

City Clerk Swope announced that the Animal Placement Bureau will be having a pet parade at the Petco in Frandor from 12:00 p.m. to 4:00 p.m. on Sunday and again July 22nd. He stated that those persons not yet registered to vote at their current address have until next Monday, July 9th to register and the Clerk's office will be open until 8:00 p.m. that evening. He said anyone needing to vote by Absentee Ballot still has time to apply for one. He stated that more than 3,500 ballots have already issued, which is more than was issued for the Mayoral Election.

SPEAKER REGISTRATION FOR PUBLIC COMMENT

(Clerk Swope announced that the public comment registration form(s) for those intending to address Council on legislative or City government

matters will be collected and that only those persons who have fully completed the form(s) will be permitted to speak.)

MAYOR'S COMMENTS

Mayor Bernero spoke about an emergency management exercise that took place last week. He spoke about the rededication of Potter Park Zoo. He spoke about the Mayor's Camp for the Hope Scholars.

Mayor Bernero read the following letter from one of the Campers:

Dear Mystic Lake Camp,

I have always thought that great places come in fairy tales until I went to Mystic Lake Camp, then I realized great places come from the great people who make it that way. When I got home I cried for hours. Mystic Lake just isn't part of my memory it's a part of my heart. I thought about the songs we sang and chants we screamed, how I miss it all. I think about Ricky's questions at the closing ceremony. I have changed. I never was good around people. I was scared of what they thought. When I entered Mystic Lake Camp it was like no one cared what you looked like anymore. They just wanted to have fun. I love everything about Mystic Lake Camp. The staff, activities, and the kids. When it was the last day, when they gave high fives and said good by it was like a big piece of me taken out. Deep down I wanted to cry but on the outside I kept calm. I wish I could come again this summer. I really, really want to but my mom doesn't have the extra money right now. Hope to see you next summer. Don't forget me. I love you guys. Mystic Lake Camp will always be in my heart and memories.

Staff Shout outs

Annie, Eric, Nicole, Carla, Barbie, Katie, Kate, Scott, Rob, and Joel

Please share this letter with all the staff.

Love Jaimie Bozock, Hope Scholar from Cabin 1 and 2

Mayor Bernero thanked all of the sponsors who helped make this event possible. He spoke about the 4th of July celebrations. He spoke about Common Ground. He spoke about a resolution that he submitted to City Council about Homeland Security for Radio Communication.

Councilmember Allen asked Mayor Bernero what will happen to the fireworks display if rain occurs on the 4th of July; Mayor Bernero stated that the fireworks rain date is the 5th.

SHOW CAUSE HEARINGS

• Comment on Scheduled Show Cause Hearings:

1. In consideration of the issuance of orders for Make Safe or Demolish to the owners of property located at 3325 Felt St.

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

2. In consideration of the issuance of orders for Make Safe or Demolish to the owners of property located at 1561 Roosevelt Ave.

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

3. In consideration of the issuance of orders for Make Safe or Demolish to the owners of property located at 926 Just-A-Mere Ave.

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

Councilmember Allen gave a brief overview of all 3 properties.

Steven Jacobs of 31440 Northwestern Hwy, Farmington Hills, stated that he represented the mortgage company which holds the title to the property at 3325 Felt St. He asked that the homeowner be granted more time to continue updating the property. He said that the owner has informed them that his work is almost complete and is waiting to schedule the final inspection.

Councilmember Allen stated that according to her records no permits have been pulled for this property.

Luis Gutierrez of 2581 Sunny Creek SE, Kentwood, stated that he is the property owner at 3325 Felt St. and has pulled all the permits needed to make repairs to the property. He said his work is just about complete and would like more time to finish so he can schedule the final inspection.

Councilmember Allen said that she was just given updated information that the permits have been pulled.

PUBLIC COMMENT ON LEGISLATIVE MATTERS

• Public Comment on Legislative Matters:

Legislative Matters included the following public hearings:

1. In consideration of an Obsolete Property Rehabilitation Act (OPRA) District filed by International Association of Heat & Frost Insulators Local 47 for property located at 906 Terminal Rd.

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

Councilmember Allen gave a brief overview of the Public Hearing.

Larry Tolbert of 1528 Northampton, Kalamazoo, spoke in support of the OPRA request.

Dru Vinson of 606 S. Fairview spoke in support of the OPRA request.

John Pollard of 1718 Blair spoke in opposition to Councilmember Matt being appointed to the Zoo Board because he is a Councilmember. He spoke in opposition to the OPRA request.

Darnell E. Oldham Sr of 3815 Berwick Dr spoke about using union workers from Lansing to work on the Building for the OPRA request.

Christine Timmon of 2519 Washington spoke about concerns that she has with the Cable Advisory and Telecommunications Board.

PUBLIC COMMENT ON CITY GOVERNMENT RELATED MATTERS:

Bob Adado of Adado Auto stated general concerns with the construction around his business.

Michael Morofsky of 1300 Woodbine Ave. spoke about repairs that need to be made to a railroad crossing.

Dale Abronowitz of 1811 Sunset Ave. spoke about concerns that he has with the City Attorney representing the City in a lawsuit.

William Hubbell of 3916 Wedgewood Dr. spoke about fairness for everyone.

Ammahad-Shekarakki of 902 Willow St. spoke about a memorial for

Malcolm X.

Dru Vinson of 606 S. Fairview Ave. spoke about various city matters.

John Pollard of 1718 Blair St. spoke about various city matters.

Frank S. Curtis X of 1137 West Allegan St. spoke about various city matters.

Darnell E. Oldham Sr. of 3815 Berwick Dr spoke about various city matters.

Christine Timmon of 2519 S. Washington Ave. spoke about various city matters.

Ronald Kruger of 3333 Moores River Dr spoke about the possibility of corruption taking place in the City.

Belinda Fitzpatrick of 224 S. Holmes St. spoke about concerns with the City Attorney's office representing the City and the UAW 2256 Union in a lawsuit.

Don Dean of 1321 E. North St spoke about various city matters.

LEGISLATIVE MATTERS

RESOLUTIONS

RESOLUTION#254

BY COUNCILMEMBER CAROL WOOD
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the 911 Advisory Committee, Ingham County and the City of Lansing have identified a public safety radio coverage issue in the southwestern portion of the City of Lansing; and

WHEREAS, the manufacturer M/A COM has proposed a solution to this issue, which is the addition of a four channel multi-site at 817 W. Holmes to interface with the existing countywide radio system; and

WHEREAS, the Ingham County 911 Advisory Board has recommended implementation of this solution, at an estimated cost of \$400,000; and

WHEREAS, funding for this project is proposed to be shared between 911 funds, Ingham County Homeland Security funds, and City of Lansing Homeland Security funds, with \$200,000 coming from 911 funds; \$100,000 coming from Ingham County, and \$100,000 coming from the City of Lansing; and

WHEREAS, the City of Lansing's match of \$100,000, is proposed to come from the 2006 Homeland Security grant; and

WHEREAS, the City's Local Planning Team has approved amending the 2006 Homeland Security grant to provide \$100,000 for the proposed solution to this problem by deleting funds approved for the purchase of certain proposed video conferencing capabilities; and

WHEREAS, the Mayor is recommending that this amendment be approved.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Lansing authorizes the recommended amendment of the 2006 Homeland Security grant to provide for the expenditure of \$100,000 as the City's match towards resolution of the radio coverage issue.

BE IT FURTHER RESOLVED that the Mayor, as the City's Chief Executive Officer, is hereby authorized to sign any necessary

documents to the 2006 Homeland Security grant as authorized herein.

By Councilmember Wood

Motion Carried

RESOLUTION#255

BY THE COMMITTEE ON GENERAL SERVICES
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Mayor has requested confirmation of the appointment of David Keeney, 5931 Joshua, Lansing, Michigan 48911 to the Telecommunications and Cable Advisory Board for a term to expire June 30, 2011; and

WHEREAS, the Committee on General Services met on June 25, 2007, and recommended confirmation of this appointment;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council, hereby, confirms the Mayor's appointment of David Keeney, 5931 Joshua, Lansing, Michigan 48911 to the Telecommunications and Cable Advisory Board for a term to expire June 30, 2011.

By Councilmember Kaltenbach

Motion Carried

RESOLUTION#256

BY THE COMMITTEE ON GENERAL SERVICES
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Wood-Mere Neighborhood Organization has requested \$500 to defray costs associated with the Annual Wood-Mere Neighborhood Organization Family Picnic; and

WHEREAS, the Committee on General Services met on June 25, 2007, to review this request and took affirmative action in the amount of \$500.00; and

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, approves a \$500 allocation from the Community Promotion Account to the Wood-Mere Neighborhood Organization to defray costs associated with the Annual Family Picnic;

BE IT FURTHER RESOLVED, the Mayor and the Finance Department is authorized to process this request by charging \$500.00 to the Community Promotion Account – 101.112101.741289.0;

BE IT FINALLY RESOLVED, that the Wood-Mere Neighborhood Organization shall submit a written analysis of the event, including information regarding the number of attendees and a detail of their accounting of expenses, to the Lansing City Council within 60 days after the event.

By Councilmember Kaltenbach

Motion Carried

RESOLUTION#257

BY THE COMMITTEE ON GENERAL SERVICES
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Faith Fellowship Baptist Church and Potter Walsh Neighborhood Organization has requested \$150 to defray costs associated with the Annual Community Block Party; and

WHEREAS, the Committee on General Services met on June 25, 2007, to review this request and took affirmative action in the amount of \$150.00; and

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council,

hereby, approves a \$150 allocation from the Community Promotion Account to the Faith Fellowship Baptist Church and Potter Walsh Neighborhood Organization to defray costs associated with the Community Block Party;

BE IT FURTHER RESOLVED, the Mayor and the Finance Department is authorized to process this request by charging \$150.00 to the Community Promotion Account – 101.112101.741289.0;

BE IT FINALLY RESOLVED, that the Faith Fellowship Baptist Church and Potter Walsh Neighborhood Organization shall submit a written analysis of the event, including information regarding the number of attendees and a detail of their accounting of expenses, to the Lansing City Council within 60 days after the event.

By Councilmember Kaltenbach

Motion Carried

RESOLUTION#258

BY THE COMMITTEE ON GENERAL SERVICES
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Jeff Irwin sought to eliminate special assessments totaling \$1,825.25 placed on the property at ~~2316 Fernwood~~ **923 W. Allegan St.** and all associated penalties and interest on the property tax bill involving a trash and debris violation; and

WHEREAS, the General Services Committee met on June 25, 2007, and denied the claim filed on a trash and debris violation but offered a settlement of a reduction in the special assessment by \$370.00;

NOW, THEREFORE, BE IT RESOLVED that the City Council, hereby, denies the claim filed by Jeff Irwin on special assessment placed on the property at ~~2316 Fernwood~~ **923 W. Allegan St.** and offers a settlement of a reduction in the special assessments by \$370.00;

BE IT FURTHER RESOLVED that the City Attorney shall take the appropriate steps to process this claim.

By Councilmember Kaltenbach

To place an affirmative role on the resolution

By Councilmember Kaltenbach

To amend the resolution by striking both occurrences of 2316 Fernwood and inserting 923 W. Allegan St.

Motion Carried

By Councilmember Kaltenbach

To recuse Councilmember Kaltenbach for possible conflict of interest

Motion Failed

The question being the motion to place an affirmative role on the resolution

Motion Carried

RESOLUTION#259

BY THE COMMITTEE ON GENERAL SERVICES
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Terry M. Opanasenko sought to eliminate special assessments totaling \$2,011.93 placed on the property at 638 W. Paulson and all associated penalties and interest on the property tax bill involving a trash and debris violation, board up fees, and a second

notice fee; and

WHEREAS, the General Services Committee met on June 25, 2007, and granted claims filed on a trash and debris violation, a board up, and second notice fee totaling the amount of \$1,175.10 and denied the claim filed for the 11/22/05 board up in the amount of \$836.83;

NOW, THEREFORE, BE IT RESOLVED that the City Council, hereby, grants claims filed by Terry M. Opanasenko on special assessments placed on the property at 638 W. Paulson involving a trash and debris violation, a board up, and second notice fee totaling the amount of \$1,175.10 and denies a claim filed on the 11/22/05 board up in the amount of \$836.83;

BE IT FURTHER RESOLVED that the City Attorney shall take the appropriate steps to process this claim.

By Councilmember Kaltenbach

Motion Carried

RESOLUTION#260

BY THE COMMITTEE ON GENERAL SERVICES
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Jeffrey Walker sought to eliminate special assessments totaling \$1,441.84 placed on the property at 1116 Platt Street and all associated penalties and interest on the property tax bill involving a trash and debris violation and board up; and

WHEREAS, the General Services Committee met on June 25, 2007, and denied the claims filed on a trash and debris violation and board up but offered a settlement for a reduction in the special assessments by \$525; the trash and debris assessment reduced by \$300 and second notice fee reduced by \$225;

NOW, THEREFORE, BE IT RESOLVED that the City Council, hereby, deny claims filed by Jeffrey Walker on special assessments placed on the property at 1116 Platt Street and offers a settlement of a reduction in the special assessments by \$525; the trash and debris assessment reduced by \$300 and second notice fee reduced by \$225;

BE IT FURTHER RESOLVED that the City Attorney shall take the appropriate steps to process this claim.

By Councilmember Kaltenbach

Motion Carried

RESOLUTION#261

BY THE COMMITTEE ON GENERAL SERVICES
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, HistoryBuff.com has requested a resolution of recognition as a Local Nonprofit Organization operating in the City of Lansing for a charitable gaming license pursuant to MCL 432.103 (9); and; and

WHEREAS, the City Attorney has reported that, based on a review of the documentation submitted, the applicant qualifies as a Local 501 (c) (3) Nonprofit Organization;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council, hereby, recognizes Historybuff.com as a Local Nonprofit Organization operating in the City of Lansing for the purpose of obtaining a charitable gaming license to conduct a raffle.

BE IT FURTHER RESOLVED the City Clerk is requested to provide a copy of this resolution to Rick Brown, HistoryBuff.com, 6031 Winterset Drive, Lansing, Michigan 48911.

By Councilmember Kaltenbach

Motion Carried

RESOLUTION#262

BY THE COMMITTEE ON GENERAL SERVICES
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Six-S, Inc., has requested a waiver of the noise ordinance to help expedite construction in the CSO 013 Northwest Project Area; and

WHEREAS, the CSO 013 Northwest Project Area is roughly bound by Turner Street, Sheridan Road, Howe Avenue, and Northdale Street; and

WHEREAS, the City of Lansing Public Service Department recommends that Six-S, Inc., be permitted to work on Saturdays from 8:00 AM to 5:00 PM to conduct construction activities necessary to completion of the project; and

NOW, THEREFORE, BE IT RESOLVED that a public hearing be held on Monday, August 6, 2007, at 7:00 PM in the City of Lansing Council Chambers, 124 W. Michigan, in consideration of the request for issuance of a waiver of the noise ordinance to permit Six-S, Inc., to work Saturdays from 8:00 AM to 5:00 PM. This waiver of the noise ordinance would be applicable for the duration of the 2007 construction season, through November 15, 2007;

BE IT FURTHER RESOLVED that this public hearing is the rescheduling to a later date of a public hearing previously scheduled in this matter.

By Councilmember Kaltenbach

Motion Carried

RESOLUTION#263

BY THE COMMITTEE ON WAYS AND MEANS
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, General Fund revenues are projected to come in lower, in total, than was budgeted for FY 2006/2007;

WHEREAS, certain adjustments are needed for circumstances have arisen during the course of the 2006/2007 fiscal year; and

WHEREAS, the current hiring freeze has resulted in vacancy savings greater than the \$1 million budgeted for FY 2006/2007;

NOW, THEREFORE, BE IT RESOLVED that the following FY 2006/2007 budget amendment be approved:

General Fund Revenues

Income Tax	(1,600,000)
Property Tax	160,000
Charges for Services - Reimbursements	287,500
Charges for Services - Public Safety	(400,000)
State Revenue Sharing	(650,000)
Fire Reimbursements - Bad Driver	306,000
BWL Equity Payment	700,000
Interest Earnings	600,000
	<u>(596,500)</u>

General Fund Expenditures -

<u>Additional Needs</u>	
Internal Auditor Wages	5,000
Internal Auditor Fringe Benefits	4,400
Finance - Treasury Wages	53,621

Finance - Treasury Fringe Benefits	30,000
City Clerk Operating (Building Rental)	37,100
Human Resources - Employee Recognition	5,000
Fire Overtime	275,000
Transfer to Zoo Fund	400,000
Transfer to Golf Fund	400,000
	<u>1,210,121</u>

General Fund Expenditures - Vacancy Savings

Council Wages	(75,170)
Council Fringe Benefits	(23,348)
Cable Access Wages	(4,000)
Cable Access Fringe Benefits	(3,000)
District Court Wages	(89,000)
District Court Fringe Benefits	(30,522)
Mayor's Office Wages	(4,000)
Mayor's Office Fringe Benefits	(3,000)
PND - Code Compliance Wages	(201,115)
PND - Code Compliance Fringe Benefits	(63,256)
PND - Planning Wages	(101,435)
PND - Planning Fringe Benefits	(31,506)
Finance - Operations Wages	(67,426)
Finance - Operations Fringe Benefits	(38,842)
Finance - Assessor Wages	(93,299)
Finance - Assessor Fringe Benefits	(28,979)
Finance - Property Mgmt Wages	(42,300)
Finance - Property Mgmt Fringe Benefits	(16,915)
Finance - IT Wages	(40,281)
Finance - IT Fringe Benefits	(12,511)
Human Resources Wages	(65,004)
Human Resources Fringe Benefits	(20,190)
City Attorney Wages	(23,901)
City Attorney Fringe Benefits	(7,474)
Police Wages	(160,000)
Police Fringe Benefits	(100,000)
Fire Wages	(40,000)
Fire Fringe Benefits	(30,000)
Public Service - Sidewalk Winter Maint. Overtime	(15,052)
Public Service - Sidewalk Winter Maint. Fringe Benefits	(44,738)
HRCS Wages	(87,209)
HRCS Fringe Benefits	(27,087)
Parks - Field Services Wages	(62,975)
Parks - Field Services Fringe Benefits	(19,561)
Parks - Community Center Wages	(35,875)
Parks - Community Center Fringe Benefits	(11,143)
Parks - Forestry Wages	(99,541)
Parks - Forestry Fringe Benefits	(59,206)
Parks - Grounds & Landscaping Wages	(12,000)
Parks - Grounds & Landscaping Fringe Benefits	(10,000)
Parks - Field & Pool Wages	(15,000)
Parks - Special Recreation Wages	(40,000)
General Fund Engineering Charge (Engineering vacancies)	(75,000)
Transfer to Cemeteries - (position vacancy)	(40,000)
	<u>(2,070,861)</u>

Vacancy Factor	1,000,000
Vacancy Savings Net of Vacancy Factor	<u>(1,070,861)</u>

General Fund Expenditures - Non-Vacancy Savings

Finance Operating - Tax Services	(70,000)
Finance Operating - Unscheduled Maintenance	(9,500)
Public Service - Sidewalk Winter Maint. Equip. Rental	(68,400)
Library Lease	(20,000)
General Fund Debt Service	(368,000)
GF Transfer to 911 Dispatch Fund	(90,400)
GF Transfer to CIP Fund (Ambulance Lease)	(29,000)
GF Transfer to Firing Range Debt Service Fund	(6,460)
GF Transfer to Stadium Fund for Debt Service	(74,000)
	<u>(735,760)</u>

Total General Fund Expenditures	<u>(596,500)</u>
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911 FUND

General Fund Subsidy	(90,400)
911 Fund Wages	(70,400)
911 Fund Fringe Benefits	(20,000)

CIP FUND

General Fund Subsidy	(29,000)
Ambulance Lease (accounted for in GF Debt Service)	(29,000)
Building Maintenance Project	(32,900)
Emergency Generator Purchases (2 Generators)	32,900

FIRING RANGE DEBT SERVICE FUND

General Fund Subsidy	(6,460)
Debt Service - Interest	(6,460)

STADIUM FUND

General Fund Subsidy	(74,000)
Debt Service - Interest	(74,000)

ZOO FUND

General Fund Subsidy	400,000
Revenues - Potter Park Entrance Fees	(75,700)
Revenues - Potter Park Admission Fees	(224,300)
	<u>100,000</u>

Expenditures - Personnel	40,000
Expenditures - Operating	60,000
	<u>100,000</u>

CEMETERIES FUND

General Fund Subsidy	(40,000)
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Wages	(30,000)
Fringe Benefits	(10,000)
	<u>(40,000)</u>

GOLF FUND

General Fund Subsidy	400,000
Revenues - Green Fees	(300,000)
Revenues - Equipment Rentals	(100,000)

CENTRAL GARAGE FUND

Central Garage Wages	(110,000)
Vehicles (Tower Truck)	110,000

By Councilmember Wood

Motion Carried

RESOLUTION#264

BY THE COMMITTEE ON WAYS & MEANS
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

That the following FY 2007 transfers be approved:

AMOUNT TO TRANSFER	TRANSFER FROM ACCOUNT #	TRANSFER TO ACCOUNT #
\$29,739.50	CDBG Salary PIn/Urban Env DS 252.932653.702053.42000	
\$24,877.00	CDBG Fringe Ben PIn/Urban Env DS 252.932653.715053.42000	
\$54,616.50		CDBG General Admin Equipment 25.932669.977101.42000

By Councilmember Wood

Motion Carried

RESOLUTION#265

BY THE COMMITTEE OF THE WHOLE
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the City of Lansing desires to encourage and support shopping and commercial activity in the Principal Shopping District area by public improvement to develop, redevelop, promote economic activity and provide for the maintenance, security and operation of the Principal Shopping District by such public improvement which especially benefits any property within a district; and

WHEREAS, the City of Lansing desires to encourage promotional efforts, business recruitment in all zones and physical improvements and maintenance services (in zone "A") of the Principal Shopping District; and

WHEREAS, the City of Lansing has determined that this should be provided through special assessment zones established for the purpose of financing Principal Shopping District activities; and

WHEREAS, the City of Lansing has determined that the cost of providing such services should be recovered by a special assessment against properties especially benefited as authorized by Act No. 120 of the Public Acts of 1961, as amended, and Chapters 812 and 1026 of the Lansing Code of Ordinances; and

WHEREAS, the City of Lansing has reviewed the proposed special assessment boundaries; and

WHEREAS, the City of Lansing has also reviewed the proposed services within the boundaries with an estimated cost of these services;

NOW THEREFORE BE IT RESOLVED, that the special assessment zones for the Principal Shopping District are established by City Council as follows:

Principal Shopping District: Beginning at the intersection of West right-of-way line of S. Capitol Avenue and the north right-of-way line of W. St. Joseph Street, "Point of Beginning," North along S. Capitol Avenue right-of-way line to the center-line of W. Washtenaw Street, west along the centerline of W. Washtenaw Street to the center-line of Townsend Street, north along the center-line of Townsend Street to the center-line of W. Allegan Street, then east along the W. Allegan Street center-line to the center-line of S. Capitol Avenue, north along the S. Capitol Avenue center-line to the center-line of W. Saginaw Street, east along the W. Saginaw Street center-line to the west right-of-way line of N. Washington Avenue, north along the N. Washington Avenue right-of-way line to the north right-of-way line of W. Grand River Avenue, east along the W. Grand River Avenue right-of-way line to the west right-of-way line of Turner Street, north along the Turner Street right-of-way line to the north right-of-way line of Clinton Street, east along Clinton Street right-of-way to the east right-of-way line of Center Street, south along the Center Street right-of-way line to the north right-of-way line of Liberty Street, east along the Liberty Street right-of-way line to the centerline of N. Cedar Street, south along the N. Cedar Street center-line to the south right-of-way line of East Grand River Avenue, east along the E. Grand River Avenue right-of-way line to the west right-of-way line of N. Larch Street, south along the N. Larch Street right-of-way line to the center-line of E. Shiawassee Street, east along the E. Shiawassee Street center-line to the west right-of-way line of the Conrail right-of-way, south along the Conrail right-of-way line to the south right-of-way line of E. Michigan Avenue, west along the E. Michigan Avenue right-of-way to the east right-of-way line of S. Larch Street, south along the S. Larch Street right-of-way line to the center-line of E. Kalamazoo Street, then west along E. Kalamazoo Street center-line to the center-line of S. Larch Street, then south along the S. Larch Street center-line to the north right-of-way line of St. Joseph Street (extended), west along the St. Joseph Street right-of-way line (extended) to the Point of Beginning.

The Principal Shopping District, as described herein, shall contain zones as described below:

Zone A: Beginning at the intersection of the center-line of W. Shiawassee Street and the centerline of N. Capitol Avenue, the "Point of Beginning - A", east along the center-line of Shiawassee Street to the west right-of-way line of the Conrail right-of-way, south along the Conrail right-of-way line to the center-line of E. Michigan Avenue, west along the center-line of E. Michigan Avenue to the center-line of S. Cedar Street, south along the S. Cedar Street center-line to the center-line of E. Kalamazoo Street, west along the E. Kalamazoo Street center-line to the center-line of Museum Drive, northwesterly along the center-line of Museum Drive to the north line of Impression Five Condominium (extended), west along the said north line of Impression Five Condominium (extended) to the center-line of the Grand River, southeasterly along the center of the Grand River to the center-line of E. Kalamazoo Street, continuing along the center-line of E. Kalamazoo Street to the center-line of Grand Avenue, south along the Grand Avenue center-line to the center-line of W. Lenawee Street, west along the W. Lenawee Street center-line to the west right-of-way line of S. Capitol Avenue, north along the west right-of-way line of S. Capitol Avenue to W. Washtenaw street, west along the centerline of W. Washtenaw Street to the centerline of Townsend Street, north along the centerline of Townsend Street to the centerline of W. Allegan Street, then east along the W. Allegan Street center-line of W. Allegan Street to the center-line of S. Capitol Avenue, north along the S. Capitol Avenue center-line to the Point of

Beginning -A.

Zone B: Beginning at the intersection of west right-of-way line of N. Washington Avenue and the north right-of-way line of W. Grand River Avenue, the "Point of Beginning - B," east along the W. Grand River right-of-way line to the west right-of-way line of Turner Street, north along the Turner Street right-of-way line to the north right-of-way line of Clinton Street, east along the Clinton Street right-of-way line to the east right-of-way line of Center Street, south along the Center Street right-of-way line to the north right-of-way line of Liberty Street, east along the Liberty Street right-of-way line to the center, line of N. Cedar Street, south along the N. Cedar Street center-line to the centerline of E. Maple Street, west along E. Maple Street center-line (as aligned) to the west right-of-way line of N. Washington Avenue, north along the N. Washington Avenue right-of-way line to the Point of Beginning -B.

Zone C - North: Beginning at the intersection of the center-line of N. Capitol Avenue and the center-line of W. Shiawassee Street, the "Point of Beginning - C (North)," north along the N. Capitol Avenue center-line to the center-line of W. Saginaw Street, east along the W. Saginaw Street center-line to west right-of-way line of N. Washington Avenue, north along the N. Washington Avenue right-of-way line to the center-line of E. Maple Street, east along E. Maple Street (as aligned) center-line to the center-line of N. Cedar Street, north along the N. Cedar Street center-line to the south right-of-way line of E. Grand River Avenue, east along the E. Grand River Avenue right-of-way line to the west right-of-way line of N. Larch Street, south along the N. Larch Street right-of-way line to the center-line of E. Shiawassee Street, west along the E. Shiawassee Street Center-line to the Point of Beginning - C (North).

Zone C - South: Beginning at the intersection of the west right-of-way line of S. Capitol Avenue and the center-line of W. Lenawee Street, the "Point of Beginning - C (South)," east along the W. Lenawee Street center-line to the center-line of Grand Avenue, north along Grand Avenue centerline to the center-line of E. Kalamazoo Street, east along the Kalamazoo Street center-line to the center of the Grand River, northwesterly along the center-line of the Grand River to the north line of Impression Five Condominium (extended), east along the north line of Impression Five Condominium (extended) to the center-line of Museum Drive, southeasterly along the center-line of Museum Drive to the center-line of E. Kalamazoo Street, east along the Kalamazoo Street centerline to the center-line of S. Cedar Street, north along the Cedar Street center-line to the center-line of E. Michigan Avenue, east along the E. Michigan Avenue center-line to the west right-of-way line of the Conrail right-of-way, south along the Conrail right-of-way line to the south right-of-way line of E. Michigan Avenue, then west along the E. Michigan Avenue right-of-way line to the east right-of-way line of S. Larch Street, south along the S. Larch Street right-of-way line to the center-line of E. Kalamazoo Street, west along the E. Kalamazoo Street center-line to the center-line of S. Larch Street, south along the S. Larch Street center-line to the north right-of-way line of St. Joseph Street (extended), west along the St. Joseph Street right-of-way line (extended) to the west right-of-way line of S. Capitol Avenue, then north along the S. Capitol Avenue right-of-way to the Point of Beginning - C (South).

BE IT FURTHER RESOLVED, that the Principal Shopping District public improvements and services be supported by a special assessment of these costs against the properties especially benefited as follows:

ZONE A - 13.2 cents per square foot for first floor and 6 cents per square foot for second floors and above, parking structures at the rate of 4.8 cents per square foot for the main floors and 2.4 cents per square foot for second floors and above, parking lots at 4.8 cents per square foot, vacant land at 1.2 cents per square foot, and industrial & manufacturing properties at 2.4 cents per square foot for the first floor and 1.2 cents per square foot for second floors and above; for a total of \$395,157.96.

ZONE B - 9.2 cents per square foot for first floor and 3.45 cents per square foot for second floors and above, parking structures at the rate of 4.6 cents per square foot for the main floors and 2.3 cents per square

foot for second floors and above, parking lots at 4.6 cents per square foot, vacant land at 1.15 cents per square foot, and industrial & manufacturing properties at 2.3 cents per square foot for the first floor and 1.15 cents per square foot for second floors and above; for a total of \$22,759.65.

ZONE C (North & South) - 2 cents per square foot for first floor and 1 cent per square foot for second floors and above, parking structures at the rate of 2 cents per square foot for the main floors and 1 cent per square foot for second floors and above, parking lots at 2 cents per square foot, vacant land at 1 cent per square foot, and industrial & manufacturing properties at 2 cents per square foot for the first floor and 1 cent per square foot for second floors and above, for a total of \$29,285.75.

BE IT FURTHER RESOLVED that the cost and expense of making estimates, plans and assessments incidental to the preparation of the assessment and the role, and providing notices shall be included in the expense of the assessment;

BE IT FURTHER RESOLVED that the Principal Shopping District public improvement and services be financed by a special assessment of these costs against the properties especially benefited as contained in the assessment Roll No. PSD07-APSD07-B/PSD07-C, compiled by the City Assessor and presented to Council with this resolution;

BE IT FURTHER RESOLVED that in zones "A," "B," and "C" (North & South), all property owners whose assessment would otherwise exceed \$10,000.00 per one parcel, shall be capped at no more than \$10,000.00 per one parcel on an annual basis;

BE IT FURTHER RESOLVED that in zones "A," "B," and "C" (North & South), any property owned by a non-profit entity which as received a Federal IRS Section 501(c)(3) non-profit designation shall have their property assessment capped at 40% of the proposed assessment rate; provided that said entity shall file with the City Assessor, not later than August 13, 2007 a written application for non-profit Principal Shopping District designation, together with a copy of said determination of IRS Section 501 (c)(3) status;

BE IT FURTHER RESOLVED that a public hearing be held Monday, July 16, 2007, in the City Council Chamber, 10th Floor City Hall, Lansing, Michigan to consider the establishment of the Principal Shopping District special assessment roll;

BE IT FURTHER RESOLVED that this public hearing is the rescheduling to a later date of a public hearing previously scheduled in this matter;

BE IT FURTHER RESOLVED that the City Clerk publish notice of the hearing to confirm the special assessment roll in a newspaper of general circulation at least 10 (ten) days prior to the date of the hearing;

BE IT FINALLY RESOLVED that the notice to the affected owners of the properties in said district be given in accordance with Chapter 1026 of the Lansing Code of Ordinances.

By Councilmember Quinney

Motion Carried

RESOLUTION#266

BY COMMITTEE OF THE WHOLE
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the City Clerk has forwarded an application for a City Permit, which has been routinely processed without objection, and is ready for final action by this Council; and

WHEREAS, all required signatures have been obtained supporting the application for a fireworks display permit;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council, hereby, approves the application for a City Permit as follows:

FIREWORKS DISPLAY PERMIT:

The Lansing Parks and Recreation and Charles Holm for a Fireworks Display Permit for July 4, 2007, a rain-out date of July 5, 2007, to be located at Oak Park, 717 E. Shiawassee

By Councilmember Kaltenbach

Motion Carried

RESOLUTION#267

BY THE COMMITTEE OF THE WHOLE
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, situations arise for the Board of Water and Light where it is legally required and/or preferable to obtain outside legal counsel due to a conflict of interest or expertise in areas of public finance, municipal law, general litigation, real estate, energy, environmental and employment law; and

WHEREAS, pursuant to the City Charter, City Council approval is required before outside legal counsel may be utilized by the City Attorney; and

WHEREAS, the Board of Water and Light has solicited and reviewed responses from a number of qualified legal firms interested in doing business for the Board of Water and Light; and

WHEREAS, based upon the written information submitted and, in some cases, the prior performance of the legal representation provided, the Board of Water and Light Commissioners adopted a resolution to submit to the City Attorney for recommendation to Council that the law firms, as contained in this resolution, be pre-approved special counsel to the Board of Water and Light; and

WHEREAS, the City Attorney, as requested, hereby recommends and requests that City Council approve the following outside counsel for the Board of Water and Light;

NOW, THEREFORE, BE IT RESOLVED that pursuant to the Board of Water and Light's request and the City Attorney's recommendation, the following law firms be and hereby are placed on the Board of Water and Light Special Counsel approved list for a two year period effective from March 27, 2007 to March 27, 2009:

1. Canady Law Offices
2. Dickinson Wright PLLC
3. Dykema Gossett PLLC
4. Foster, Swift, Collins & Smith
5. Miller Canfield Paddock & Stone, LLC
6. Honigman Miller Schwartz & Cohn LLP
7. Oade, Stroud & Kleiman, PC
8. Varnum, Riddering, Schmidt & Howlett
9. Willingham & Cote
10. Carlin, Edwards, Brown & Howe, PC
11. Miller, Balis & O'Neil, PC
12. Speigel & McDiarmid
13. Clark Hill PLC.

By Councilmember Dunbar

Motion Carried

RESOLUTION#268

BY THE COMMITTEE OF THE WHOLE
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Mayor has requested confirmation of the appointment of William Matt, to the Potter Park Zoo Board for a term to expire December 31, 2008; and

WHEREAS, the Committee of the Whole met on June 28, 2007, and recommended confirmation of this appointment;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council, hereby, confirms the Mayor's appointment of William Matt to the Potter Park Zoo Board for a term to expire December 31, 2008.

By Councilmember Allen

Motion Carried (Councilmember Wood Dissenting)

RESOLUTION#269

BY THE COMMITTEE OF THE WHOLE
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Department of Human Relations and Community Services submitted a grant application to the Department of Housing and Urban Development (HUD) under the Continuum of Care Homeless Assistance Supportive Housing Program; and

WHEREAS, the Human Relations and Community Services Department applied for grant funding to award the Salvation Army a one year renewal grant for permanent supportive housing (Program 1); and

WHEREAS, the Salvation Army will be responsible for securing the 25 percent HUD match requirement of the Supportive Housing Program grant; and

WHEREAS, the Human Relations and Community Services Department received notice from HUD that the grant was awarded for this project in the amount of \$71,933; and

WHEREAS, the City of Lansing received the grant agreements from HUD for this project; and

WHEREAS, the Salvation Army's permanent supportive housing program 1 will be combined with the Salvation Army's permanent supportive housing program 2 on or after July 1, 2007;

NOW, THEREFORE, BE IT RESOLVED the City of Lansing, Michigan, accepts the terms of the grant agreement as received from HUD and, hereby, specifically agree but not by way of limitation, as follows:

1. That the administration is authorized to create appropriate accounts and transfer necessary funds to administer and monitor the grants and to appropriate such additional funds as shall be necessary to complete the project subject to the City Council transfer policies.
2. To maintain satisfactory financial accounts, documents, and records to make them available to HUD for auditing at reasonable times.
3. To implement the project and provide such funds, services, and materials as may be necessary to satisfy the terms of said Agreements.
4. To authorize the Mayor of the City of Lansing to be the local authorized representative to sign documents in behalf of the City of Lansing.
5. To comply with any and all terms of said HUD agreements, including all terms not specifically set forth in the foregoing portion of

this resolution.

By Councilmember Wood

Motion Carried

RESOLUTION#270

BY THE COMMITTEE OF THE WHOLE
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Department of Human Relations and Community Services submitted a grant application to the Department of Housing and Urban Development (HUD) under the Continuum of Care Homeless Assistance Supportive Housing Program; and

WHEREAS, the Human Relations and Community Services Department applied for grant funding to award the Salvation Army a one year renewal grant for permanent supportive housing (Program 2); and

WHEREAS, the Salvation Army will be responsible for securing the 25 percent HUD match requirement of the Supportive Housing Program grant; and

WHEREAS, the Human Relations and Community Services Department received notice from HUD that the grant was awarded for this project in the amount of \$247,395; and

WHEREAS, the City of Lansing received the grant agreements from HUD for this project;

WHEREAS, the Salvation Army's permanent supportive housing program 1 will be combined with the Salvation Army's permanent supportive housing program 2 on or after July 1, 2007;

NOW, THEREFORE, BE IT RESOLVED the City of Lansing, Michigan, accepts the terms of the grant agreement as received from HUD and the City of Lansing does hereby specifically agree, but not by way of limitation, as follows:

1. That the administration is authorized to create appropriate accounts and transfer necessary funds to administer and monitor the grants and to appropriate such additional funds as shall be necessary to complete the project subject to the City Council transfer policies.
2. To maintain satisfactory financial accounts, documents, and records to make them available to HUD for auditing at reasonable times.
3. To implement the project and provide such funds, services, and materials as may be necessary to satisfy the terms of said Agreements.
4. To authorize the Mayor of the City of Lansing to be the local authorized representative to sign documents in behalf of the City of Lansing.
5. To comply with any and all terms of said HUD agreements, including all terms not specifically set forth in the foregoing portion of this resolution.

By Councilmember Matt

Motion Carried

RESOLUTION#271

BY THE COMMITTEE OF THE WHOLE
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Department of Human Relations and Community Services submitted a grant application to the Department of Housing and Urban Development (HUD) under the Continuum of Care Homeless Assistance Supportive Housing Program; and

WHEREAS, the Human Relations and Community Services Department applied for grant funding to award the Salvation Army a one year renewal grant for the Housing Placement Program; and

WHEREAS, the Salvation Army will be responsible for securing the 25 percent HUD match requirement of the Supportive Housing Program grant; and

WHEREAS, the Human Relations and Community Services Department received notice from HUD that the grant was awarded for this project in the amount of \$100,432; and

WHEREAS, the City of Lansing received the grant agreements from HUD for this project;

NOW, THEREFORE, BE IT RESOLVED the City of Lansing, Michigan, accepts the terms of the grant agreement as received from HUD and the City of Lansing does hereby specifically agree, but not by way of limitation, as follows:

1. That the administration is authorized to create appropriate accounts and transfer necessary funds to administer and monitor the grants and to appropriate such additional funds as shall be necessary to complete the project subject to the City Council transfer policies.
2. To maintain satisfactory financial accounts, documents, and records to make them available to HUD for auditing at reasonable times.
3. To implement the project and provide such funds, services, and materials as may be necessary to satisfy the terms of said Agreements.
4. To authorize the Mayor of the City of Lansing to be the local authorized representative to sign documents in behalf of the City of Lansing.
5. To comply with any and all terms of said HUD agreements, including all terms not specifically set forth in the foregoing portion of this resolution.

By Councilmember Quinney

Motion Carried

RESOLUTION#272

BY THE COMMITTEE OF THE WHOLE
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Department of Human Relations and Community Services submitted a grant application to the Department of Housing and Urban Development (HUD) under the Continuum of Care Homeless Assistance Supportive Housing Program; and

WHEREAS, the Human Relations and Community Services Department applied for grant funding to award the Greater Lansing Housing Coalition a one year renewal grant for the Walnut Street Apartments (Chronically Homeless Clients with Mental Illnesses Program); and

WHEREAS, the Greater Lansing Housing Coalition will be responsible for securing the 25 percent HUD match requirement of the Supportive Housing Program grant; and

WHEREAS, the Human Relations and Community Services Department received notice from HUD that the grant was awarded for this project in the amount of \$97,080; and

WHEREAS, the City of Lansing received the grant agreements from HUD for this project;

NOW, THEREFORE, BE IT RESOLVED the City of Lansing, Michigan, accepts the terms of the grant agreement as received from HUD and the City of Lansing does hereby specifically agree, but not by way of limitation, as follows:

1. That the administration is authorized to create appropriate accounts and transfer necessary funds to administer and monitor the grants and to appropriate such additional funds as shall be necessary to complete the project subject to the City Council transfer policies.
2. To maintain satisfactory financial accounts, documents, and records to make them available to HUD for auditing at reasonable times.
3. To implement the project and provide such funds, services, and materials as may be necessary to satisfy the terms of said Agreements.
4. To authorize the Mayor of the City of Lansing to be the local authorized representative to sign documents in behalf of the City of Lansing.
5. To comply with any and all terms of said HUD agreements, including all terms not specifically set forth in the foregoing portion of this resolution.

By Councilmember Kaltenbach

Motion Carried

RESOLUTION#273

BY THE COMMITTEE OF THE WHOLE
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Department of Human Relations and Community Services submitted a grant application to the Department of Housing and Urban Development (HUD) under the Continuum of Care Homeless Assistance Supportive Housing Program; and

WHEREAS, the Human Relations and Community Services Department applied for grant funding for the City of Lansing Homeless Management Information System (HMIS) program; and

WHEREAS, the City of Lansing will be responsible for securing the 25 percent HUD match requirement of the Supportive Housing Program grant; and

WHEREAS, the Human Relations and Community Services Department received notice from HUD that the grant was awarded for this project in the amount of \$39,334; and

WHEREAS, the City of Lansing received the grant agreements from HUD for this project;

NOW, THEREFORE, BE IT RESOLVED the City of Lansing, Michigan, accepts the terms of the grant agreement as received from HUD and the City of Lansing does hereby specifically agree, but not by way of limitation, as follows:

1. That the administration is authorized to create appropriate accounts and transfer necessary funds to administer and monitor the grants and to appropriate such additional funds as shall be necessary to complete the project subject to the City Council transfer policies.
2. To maintain satisfactory financial accounts, documents, and records to make them available to HUD for auditing at reasonable times.
3. To implement the project and provide such funds, services, and materials as may be necessary to satisfy the terms of said Agreements.
4. To authorize the Mayor of the City of Lansing to be the local authorized representative to sign documents in behalf of the City of Lansing.

5. To comply with any and all terms of said HUD agreements, including all terms not specifically set forth in the foregoing portion of this resolution.

By Councilmember Dunbar

Motion Carried

RESOLUTION#274

BY THE COMMITTEE OF THE WHOLE
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Department of Human Relations and Community Services submitted a grant application to the Department of Housing and Urban Development (HUD) under the Continuum of Care Homeless Assistance Supportive Housing Program; and

WHEREAS, the Human Relations and Community Services Department applied for grant funding for the Advent House Ministries employment assistance program for homeless clients; and

WHEREAS, Advent House Ministries will be responsible for securing the 25 percent HUD match requirement of the Supportive Housing Program grant; and

WHEREAS, the Human Relations and Community Services Department received notice from HUD that the grant was awarded for this project in the amount of \$172,900; and

WHEREAS, the City of Lansing received the grant agreements from HUD for this project;

NOW, THEREFORE, BE IT RESOLVED the City of Lansing, Michigan, accepts the terms of the grant agreement as received from HUD and the City of Lansing does hereby specifically agree, but not by way of limitation, as follows:

1. That the administration is authorized to create appropriate accounts and transfer necessary funds to administer and monitor the grants and to appropriate such additional funds as shall be necessary to complete the project subject to the City Council transfer policies.
2. To maintain satisfactory financial accounts, documents, and records to make them available to HUD for auditing at reasonable times.
3. To implement the project and provide such funds, services, and materials as may be necessary to satisfy the terms of said Agreements.
4. To authorize the Mayor of the City of Lansing to be the local authorized representative to sign documents in behalf of the City of Lansing.
5. To comply with any and all terms of said HUD agreements, including all terms not specifically set forth in the foregoing portion of this resolution.

By Councilmember Allen

Motion Carried

RESOLUTION#275

BY THE COMMITTEE OF THE WHOLE
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Department of Human Relations and Community Services submitted a grant application to the Department of Housing and Urban Development (HUD) under the Continuum of Care Homeless Assistance Supportive Housing Program; and

WHEREAS, the Human Relations and Community Services Department applied for grant funding for Gateway Community Services for housing services to youth in the City of Lansing; and

WHEREAS, Gateway Community Services will be responsible for securing the 25 percent HUD match requirement of the Supportive Housing Program grant; and

WHEREAS, the Human Relations and Community Services Department received notice from HUD that the grant was awarded for this project in the amount of \$62,842; and

WHEREAS, the City of Lansing received the grant agreements from HUD for this project;

NOW, THEREFORE, BE IT RESOLVED the City of Lansing, Michigan, accepts the terms of the grant agreement as received from HUD and the City of Lansing does, hereby, specifically agree, but not by way of limitation, as follows:

1. That the administration is authorized to create appropriate accounts and transfer necessary funds to administer and monitor the grants and to appropriate such additional funds as shall be necessary to complete the project subject to the City Council transfer policies.
2. To maintain satisfactory financial accounts, documents, and records to make them available to HUD for auditing at reasonable times.
3. To implement the project and provide such funds, services, and materials as may be necessary to satisfy the terms of said Agreements.
4. To authorize the Mayor of the City of Lansing to be the local authorized representative to sign documents in behalf of the City of Lansing.
5. To comply with any and all terms of said HUD agreements, including all terms not specifically set forth in the foregoing portion of this resolution.

By Councilmember Wood

Motion Carried

RESOLUTION#276

BY THE COMMITTEE OF THE WHOLE
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Department of Human Relations and Community Services submitted a grant application to the Department of Housing and Urban Development (HUD) under the Continuum of Care Homeless Assistance Supportive Housing Program; and

WHEREAS, the Human Relations and Community Services Department applied for grant funding for St. Vincent Catholic Charities for supportive services to young women with children; and

WHEREAS, St. Vincent Catholic Charities will be responsible for securing the 25 percent HUD match requirement of the Supportive Housing Program grant; and

WHEREAS, the Human Relations and Community Services Department received notice from HUD that the grant was awarded for this project in the amount of \$62,843; and

WHEREAS, the City of Lansing received the grant agreements from HUD for this project;

NOW, THEREFORE, BE IT RESOLVED the City of Lansing, Michigan, accepts the terms of the grant agreement as received from HUD and the City of Lansing does hereby specifically agree, but not by way of

limitation, as follows:

1. That the administration is authorized to create appropriate accounts and transfer necessary funds to administer and monitor the grants and to appropriate such additional funds as shall be necessary to complete the project subject to the City Council transfer policies.
2. To maintain satisfactory financial accounts, documents, and records to make them available to HUD for auditing at reasonable times.
3. To implement the project and provide such funds, services, and materials as may be necessary to satisfy the terms of said Agreements.
4. To authorize the Mayor of the City of Lansing to be the local authorized representative to sign documents in behalf of the City of Lansing.
5. To comply with any and all terms of said HUD agreements, including all terms not specifically set forth in the foregoing portion of this resolution.

By Councilmember Matt

Motion Carried

RESOLUTION#277

BY THE COMMITTEE OF THE WHOLE
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Department of Human Relations and Community Services submitted a grant application to the Department of Housing and Urban Development (HUD) under the Continuum of Care Homeless Assistance Supportive Housing Program; and

WHEREAS, the Human Relations and Community Services Department applied for grant funding for Capital Area Community Services for supportive services; and

WHEREAS, Capital Area Community Services will be responsible for securing the 25 percent HUD match requirement of the Supportive Housing Program grant; and

WHEREAS, the Human Relations and Community Services Department received notice from HUD that the grant was awarded for this project in the amount of \$285,394; and

WHEREAS, the City of Lansing received the grant agreements from HUD for this project;

NOW, THEREFORE, BE IT RESOLVED the City of Lansing, Michigan, accepts the terms of the grant agreement as received from HUD and the City of Lansing does hereby specifically agree, but not by way of limitation, as follows:

1. That the administration is authorized to create appropriate accounts and transfer necessary funds to administer and monitor the grants and to appropriate such additional funds as shall be necessary to complete the project subject to the City Council transfer policies.
2. To maintain satisfactory financial accounts, documents, and records to make them available to HUD for auditing at reasonable times.
3. To implement the project and provide such funds, services, and materials as may be necessary to satisfy the terms of said Agreements.
4. To authorize the Mayor of the City of Lansing to be the local authorized representative to sign documents in behalf of the City of

Lansing.

5. To comply with any and all terms of said HUD agreements, including all terms not specifically set forth in the foregoing portion of this resolution.

By Councilmember Quinney

Motion Carried

REPORTS FROM COUNCIL COMMITTEES

There were no Committee Reports

ORDINANCES FOR INTRODUCTION

There were no Ordinances for Introduction

ORDINANCES FOR PASSAGE

There were no Ordinances for Passage

REPORTS FROM CITY OFFICERS, BOARDS, AND COMMISSIONS; COMMUNICATIONS AND PETITIONS; AND OTHER CITY RELATED MATTERS

By Councilmember Allen that all items be considered as being read in full and that President Leeman make the appropriate referrals

Motion Carried

• Reports from City Officers, Board and Commissions:

- a. Letter from the City Clerk submitting minutes of Boards and Authorities placed on file in the City Clerk's Office

RECEIVED AND PLACED ON FILE

- b. Letters from the Mayor re:

- i. Public Improvement III; Repair and Reconstruction of public sidewalks excepting all public streets and alleys and other land deemed not benefited in areas bounded by; ●Jolly Rd., Crocus Ave., Bluebell Dr. and S. Washington Ave. ●Jolly Rd., Ballard Rd., Ingham St. and Fielding Dr. ●Cavanaugh Rd., S. Pennsylvania Ave., Vernon Ave. and Parkway Blvd. and request for a Public Hearing

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES

- ii. Public Improvement III; Sidewalk, Curb and Gutter and necessary storm drainage improvements for Haag Rd. from Miller Rd. to Martin Luther King Jr. Blvd. and request for a Public Hearing

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES

Councilmember Allen left the Meeting

- iii. Transfer of Funds; Police Administration – Capital Area Response Effort (CARE)

REFERRED TO THE COMMITTEE ON WAYS AND MEANS AND

INTERNAL AUDIT

- iv. Grant Acceptance; U.S. Department of Commerce Economic Development Administration for building infrastructure in the Lansing Regional SmartZone

REFERRED TO THE COMMITTEE ON WAYS AND MEANS AND INTERNAL AUDIT

- v. Appointment of William Matt to the Potter Park Zoo Board for a Term to Expire December 31, 2008

RECEIVED AND PLACED ON FILE

- vi. Grant Acceptance; Department of Housing and Urban Development (HUD) 1-year renewal grants for Greater Lansing Homeless Resolution Network

RECEIVED AND PLACED ON FILE

- vii. Grant Application; National Institute of Justice (NIJ) Grant

REFERRED TO THE COMMITTEE ON WAYS AND MEANS AND INTERNAL AUDIT

• Communications and Petitions, and Other City Related Matters:

- a. Letter from the State of Michigan Department of Labor & Economic Growth Liquor Control Commission (MLCC) providing a 15 Day Notice of an application filed by Simon Zeineh requesting to Transfer Ownership of a 2007 SDM licensed business located at 1900 E. Kalamazoo St. from Faiek Zeineh

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

- b. Letter from the State of Michigan Department of Labor and Economic Growth regarding the proposed Amended Plat of Part of Lot 13 Supervisor's Plat of Valleau's Subdivision, Delta Twp. (now City of Lansing)

REFERRED TO THE PLANNING AND DEVELOPMENT DEPARTMENT AND REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING AND REFERRED TO THE ECONOMIC DEVELOPMENT CORPORATION

- c. Letter from Tri-County Regional Planning Commission submitting tables of Preliminary Draft 2005 Socio-Economic Data for the City of Lansing and maps of Traffic Analysis Zones

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY AND REFERRED TO THE COMMITTEE ON INTERGOVERNMENTAL RELATIONS

- d. Letter from the Capital Area District Library regarding proposed non-resident fee for patrons living outside the CADL service area

REFERRED TO THE COMMITTEE ON INTERGOVERNMENTAL RELATIONS

- e. Letter from Joseph E. Ernst submitted on behalf of Freda Jackson regarding structures on property located at 1601 Comfort St.

REFERRED TO THE CITY ATTORNEY AND REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

- f. Letter from Fred Williams of 350 E. Gier St. stating concerns with the volume of music from Common Ground Acts

REFERRED TO THE MAYOR

- g. Letter from Jenifer Mayrberger of 3123 Felt St. stating concerns with work related to the CSO 013 Northwest Project Area and submitting a map of the area under construction

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES AND REFERRED TO THE PUBLIC SERVICE DEPARTMENT

MOTION OF EXCUSED ABSENCE

By Councilmember Kaltenbach

To excuse Councilmember Jeffries from tonight's proceedings

Motion Carried

REMARKS BY COUNCILMEMBERS

Councilmember Kaltenbach congratulated Dayle Benjamin and the folks at Edmore Neighborhood Association for the great job they did on their event that was held at Edmore Park. He asked the administration if they could look into why the only bank where residents can pay their property taxes is Comerica and why is there a 3 percent hike in the cost if they are paid with a credit card.

Councilmember Wood asked the administration if they could please explain the difference in the property tax bills that pertain to the County taxes.

President Leeman thanked Jesse in the Mayor's office for helping with the issues on Center St. He wished Councilmember Matt and Councilmember Kaltenbach a Happy Birthday.

REMARKS BY THE MAYOR OR EXECUTIVE ASSISTANT

Jerry Ambrose, Executive Assistant to the Mayor, thanked the City Council for their quick action on the transfer of funds for Homeland Security. He explained the difference in the property tax bills for Ingham County Taxes. He reminded everyone of the upcoming July 4th celebration events. He said that the City has always used Comerica to collect property taxes and he will look into the possibility of using other institutions. He said the fee for using credit cards is higher and that it comes from the Credit card companies not from the City.

ADJOURNED TIME 9:37 P.M.

CHRIS SWOPE, CITY CLERK



**OFFICIAL PROCEEDINGS OF
THE CITY COUNCIL
CITY OF LANSING
PROCEEDINGS OF JULY 9, 2007**

City Council Chambers
Lansing, Michigan

The City Council of the City of Lansing met in regular session and was called to order at 7:00 p.m. by President Leeman.

PRESENT: Councilmembers Allen, Dunbar, Jeffries, Kaltenbach, Leeman, Matt, Quinney, Wood

ABSENT: None

The Council observed a moment of Meditation followed by the Pledge of Allegiance led by President Leeman

APPROVAL OF MINUTES

By Councilmember Jeffries

To approve the printed Council Proceedings of July 2, 2007

Motion carried

CONSIDERATION OF LATE ITEMS

By Vice President Jeffries

To suspend City Council Rule #11 to allow for Consideration of Late Items

Motion carried

The following items were added to the agenda:

1. From Councilmember Allen; Letter from Mary Mireles, P.O. Box 27506, Lansing, MI regarding the Show Cause Hearing for property located at 1914 Stirling Ave.

TABLED ITEMS

SPECIAL CEREMONIES

• Special Ceremonies

1. Presentation; Miss Capital City Pageant

Rhonda Liskey stated that she represents the Cadillac Club and she introduced Deb Zale who is the Executive Director of the Pageant. She said it has been nearly 20 years since Lansing has hosted a scholarship pageant. She said the winner will be a statewide ambassador and will attend several special events throughout the State of Michigan. She said the winner will conduct personal appearances and will represent Lansing in the Miss Michigan Pageant in June 2008 in Muskegon. She said if she wins there she will advance to compete in the National Miss America Pageant in January 2009. She said our Miss Capital City could become Miss America. She said the Pageant will take place November 10, 2007 at the Cadillac Club. She said there will be an informational reception on Wednesday, July 18 at 6:30 p.m. at the Cadillac Club.

2. Tribute; Capitol City Lodge #141, Fraternal Order of Police on

their 40th Anniversary

Councilmember Allen was honored in presenting this tribute to the Fraternal Order of Police for their 40th Anniversary. She said they represent a lot of people throughout the county.

Brad St. Aubin, Chairman of the Fraternal Order of Police, stated that the Fraternal Order of Police was established in 1967 by several Lansing Police Officers. He said throughout the years other agencies joined. He said we currently have over 700 active members and thanked everyone for this honor.

Bruce Holliday, President of the Fraternal Order of Police, thanked the City Council for this honor. He said we are strong and we will stay strong. He gave additional information about the Order and thanked all of the current members for their support.

Tom Krug, Executive Director of Labor Relations, said it took a lot of courage from the officers to put together this lodge. He said the men and women of the Lansing Police Department deserve a lot of credit.

Councilmember Allen gave a warm thank you to the men and women who put their lives on the line everyday for all the citizens.

City Clerk Swope read the following Resolution:

RESOLUTION#278

BY COUNCILMEMBER HAROLD LEEMAN
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Fraternal Order of Police (FOP) is a national law enforcement organization representing over 255,000 members. Local Fraternal Order of Police lodges are administered through the State program for those states that have affiliation with the National FOP. The Local FOP elects a representative from each region to be a member of the Board of Directors that oversees the State FOP; and

WHEREAS, Lodge No. 141 was chartered in 1967 to represent active and associate members in the greater Lansing area and in 1972 purchased an 80-acre parcel of land on North Eifert Road in Mason and built the original Lodge that housed offices and a banquet room; and

WHEREAS, in the late 1980's, the popularity of Lodge activities lessened leaving much of the property unused and in the early 1990's, the board determined it should sell the Eifert Rd. property and move to an office building with meeting space which would be centrally located to its divisions and members; and

WHEREAS, the Eifert Rd. Lodge sold in the fall of 1994 and Capitol City Lodge No. 141 purchased the building at 5195 Jet Dr., Lansing, for its new home; and

WHEREAS, the purpose of the Fraternal Order of Police is to promote and foster impartial enforcement of law and order; improve the individual proficiency of members in the performance of their duties; encourage officers; promote improvement in wages, hours, and other terms and conditions of employment for all law enforcement officers; to cultivate a spirit of fraternalism among our membership and the people we serve; to increase efficiency of the law enforcement profession; and establish the confidence of the public in the service that is dedicated to the protection of life and property; and

WHEREAS, Capitol City Lodge No. 141 has a labor program and a fraternal program. The labor program is a union representing about 700 people employed in positions of police officers, correction officers, 911 dispatchers, parking enforcement officers, and related police support working for local or county government in Ingham, Eaton, and Clinton counties; and

WHEREAS, the labor program Board of Directors is comprised of members elected from the represented divisions and a chairman, secretary, and treasurer is elected to manage its regular business. The labor program has a retained attorney, executive director, and an office manager who shares their time with the fraternal program; and

WHEREAS, the fraternal program membership includes members of the labor program, retirees, and associates who are comprised of citizens of the community who support men and women working in law enforcement; and

WHEREAS, the fraternal program elects officers to the positions of President, Secretary/Treasurer, Conductor, Guard, and Chaplain and along with the Fraternal past President, makeup the Fraternal Board of Directors; and

NOW, THEREFORE, BE IT RESOLVED, that the Lansing City Council, hereby, congratulates the Capital City Lodge No. 141, Fraternal Order of Police and Fraternal Order of Police Labor Program, Inc. on their 40th Anniversary. Thank you for your continued support and many contributions to the City of Lansing!

By Councilmember Allen

Motion Carried

Jerry Ambrose, Executive Assistant to Mayor Bernero, congratulated the Fraternal Order of Police on their 40th anniversary and stated that Lansing is represented by the very best.

COUNCILMEMBERS' COMMENTS AND CITY CLERK'S ANNOUNCEMENTS:

Councilmember Kaltenbach announced that the Westside Summerfest will be held Saturday, July 14 from 12:00 p.m. to 9:00 p.m. in the parking lot behind Toolan's Deli and Parks Furniture Store.

Councilmember Wood announced that the Westside Garden Tour is Sunday and tickets are available at Advent House and it runs from 2:00 p.m. to 6:00 p.m.

Councilmember Dunbar announced that the Moores Park Association will be meeting at the Pavilion at Moores Park. The Potluck is at 6:00 p.m. and the meeting is at 6:30 p.m. The Lansing/Eaton Neighborhood Association will not be meeting this week, they are having a picnic on Saturday, July 21 instead at Fulton Park. Old Town is having music in the park at Bushard Park from 6:00 p.m. to dusk on Thursday. The Southside Farmers Market opened last week. They will be open on Tuesdays from 2:30 p.m. to 6:30 p.m. at the Southside Community Coalition on Holmes Rd near Pleasant Grove. The Allen Street Farmers Market is open on Wednesdays from 2:30 p.m. to 6:30 p.m. The Greater Lansing Housing Coalition is looking to start a program called "Build a Tool Bank" to show homeowners how to do basic repairs and maintenance to their homes. They are looking for qualified people who can teach the homeowners how to make the repairs and do the maintenance. They are also looking for anyone who has any tools lying around that are no longer being used to donate to the Tool Bank. The Tool Bank will be a shed from which residents can borrow the tools to do the repairs. Anyone who would like to donate their skills and time and tools can call the Greater Lansing Housing Coalition at 372-5980 and speak with Dawn. Councilmember Dunbar also spoke about a fire that occurred at her non-profit office. She wanted to thank David Ford and his crew at Fire Station #5 for their assistance.

President Leeman spoke about the Military Band that performed at the Capitol on Sunday evening. He said that it was very well attended.

City Clerk Swope stated that today is the deadline to register to vote for the August Primary. He said the Clerk's Office will be open until 8:00 p.m. this evening for anyone who still needs to register or you can print off an application from the website and mail it in. He said that mail in registrations must be postmarked today in order to be processed. He said the Oakland Center is now open to apply for Absentee Ballots or to drop off their ballots. The address is 809 Center St., Suite 9. He said the hours of operation will be Monday through Friday from 8:00 a.m. to 5:00 p.m.

SPEAKER REGISTRATION FOR PUBLIC COMMENT

(Clerk Swope announced that the public comment registration form(s) for those intending to address Council on legislative or City government matters will be collected and that only those persons who have fully completed the form(s) will be permitted to speak.)

MAYOR'S COMMENTS

Jerry Ambrose, Executive Assistant to the Mayor, spoke about the success of the 4th of July celebration. He spoke about opening day of Common Ground. He said that the Sycamore Driving Range is now open. He said it will be open 7 days a week from 10:00 a.m. to 8:00 p.m. He said buckets of balls are available for \$5.00, \$7.00 and \$9.00. He spoke about two golf camps that Michigan State University Golf Center and the Lansing Parks Department will be sponsoring. He said the camps will teach kids the basics of golf. Any children ranging from 7 years old to 17 years old are eligible to attend the camps. He said the first camp runs from Monday, July 30 to Thursday, August 2 and the second camp is Monday, August 6 to Thursday, August 9. He said space is limited to 20 participants for each camp and the cost is \$100.00. However, thanks to the support of the Lansing Youth Recreation Fund, some Lansing kids will be able to attend the camp for only \$50.00. Anyone needing more information on sponsoring a child can call 483-4232.

SHOW CAUSE HEARINGS

• Comment on Scheduled Show Cause Hearings:

1. In consideration of the issuance of orders for Make Safe or Demolish to the owners of property located at 1914 Stirling Ave.

Councilmember Allen gave a brief overview of the property.

There were no speakers for this Show Cause Hearing

1. Letter from Mary Mireles, P.O. Box 27506, Lansing, MI regarding the Show Cause Hearing for property located at 1914 Stirling Ave.

REFERRAL OF SHOW CAUSE HEARINGS

1. In consideration of the issuance of orders for Make Safe or Demolish to the owners of property located at 1914 Stirling Ave.

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

PUBLIC COMMENT ON LEGISLATIVE MATTERS

• Public Comment on Legislative Matters:

Legislative Matters included the following public hearings:

1. In consideration of Brownfield Redevelopment Plan; Ingham County Brownfield Redevelopment Authority – Brownfield Redevelopment Plan for Ingham County Land Bank Fast Track Authority Parcels

Vice President Jeffries gave a brief overview of the Public Hearing.

Eric Schertzing, Ingham County Treasurer, spoke in support of the Brownfield request for the Land Bank. He gave additional information regarding how the Land Bank will work.

Don Dean of 1321 E. North St spoke about the transfer of ownership for Bonnie's Place.

John Pollard of 1718 Blair St. spoke about concerns with the SmartZone grant acceptance. He spoke in support of the Brownfield project, but had some concerns regarding the requirement for the number of years of ownership.

Darnell E. Oldham Sr of 3815 Berwick Dr spoke in support of the Brownfield request. He spoke about concerns with the SmartZone grant acceptance.

REFERRAL OF PUBLIC HEARINGS

1. In consideration of Brownfield Redevelopment Plan; Ingham County Brownfield Redevelopment Authority – Brownfield Redevelopment Plan for Ingham County Land Bank Fast Track Authority Parcels

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

PUBLIC COMMENT ON CITY GOVERNMENT RELATED MATTERS:

Stan Shuck of 818 Cooper Ave. spoke about various city matters.

Robert Ovalle of 638 S. Foster Ave. spoke about concerns that he has with City Government.

Virginia Humble of 604 E. Fredrick Ave. spoke about various city matters.

Gary Bodiford of 1120 N. Jenison Ave. spoke about alleged discrimination taking place in the City.

Don Dean of 1321 E. North St spoke about violations of the First Amendment.

Russell Terry of 121 E. Mt Hope Ave. spoke about a letter he submitted that is on the agenda.

William Hubbell of 3916 Wedgewood Dr. spoke about concerns with a pedestrian crossing.

John Pollard of 1718 Blair St. spoke about various city matters.

Darnell E. Oldham Sr of 3815 Berwick Dr spoke about various city matters.

Bob Gray of 422 Dadson Dr. spoke about various city matters.

Rina Risper of 503 W. Grand River Ave. spoke about various issues.

Councilmember Jeffries left the Meeting

Frank S. Curtis X of 1137 West Allegan St. spoke about various city matters.

Carl Calille of 306 Harriet Ave spoke about various city matters.

Willy Williams of P O Box 11042 spoke about various issues.

LEGISLATIVE MATTERS

RESOLUTIONS

RESOLUTION#279

BY THE COMMITTEE ON GENERAL SERVICES
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Licensing and Entertainment Division of the Michigan Liquor Control Commission received a request from Bonnie's Place, Inc. to transfer all stock in 2007 Class C. Licensed Business with Dance Permit, located at 415 E. Saginaw, Lansing, Michigan 48906, Ingham County, through Transfer of 25,000 shares from Scott Feltenberger to New Stockholder Bonnie Stacey; and

WHEREAS, all appropriate signatures were obtained to transfer stock in 2007 Class C. Licensed Business with Dance Permit, located at 415 E. Saginaw, Lansing; and

WHEREAS, the Committee on General Services reviewed the executed forms and request with an affirmative vote;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, approves transfer of stock in 2007 Class C. Licensed Business with Dance Permit, Located at 415 E. Saginaw, Lansing, Michigan 48906, Ingham County, through transfer of 25,000 shares from Scott Feltenberger to New Stockholder Bonnie Stacey;

BE IT FURTHER RESOLVED, the City Clerk is requested to notify Bonnie's Place, Inc. of the approval by the Lansing City Council.

By Councilmember Kaltenbach

Motion Carried

RESOLUTION#280

BY THE COMMITTEE ON WAYS AND MEANS
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

Economic Development Administration Grant Acceptance
Resolution

WHEREAS, the EDA has offered the City a grant in the amount of \$1,985,500 in EDA funds for extension of municipal road and utility infrastructure to support the development of the Lansing Regional SmartZone Park, and

WHEREAS, the MSU Foundation has agreed to provide a 50%, \$2 million match for the EDA grant, and

WHEREAS, the EDA is requiring that the City of Lansing accept the fiduciary responsibility for maintenance of the public infrastructure placed in the Lansing portion of the Lansing Regional SmartZone Park, and

WHEREAS, The Economic Development Corporation of the City of Lansing (EDC) will administer the grant on behalf of the City, and

WHEREAS, beyond the \$2 million match provided by the MSU Foundation, there is no further local match requirement, and

NOW, THEREFORE BE IT RESOLVED, that the City of Lansing accept the EDA grant for the above referenced project and certify it will comply with all applicable laws and regulations as stated in all contract agreements described in the Compliance listing of the grant award agreement between EDA, the MSU Foundation, and the City of Lansing in the form as filed with the City Clerk.

BE IT FINALLY RESOLVED, that the Mayor, on behalf of the City, is hereby authorized to execute the afore stated grant agreement, subject to prior approval thereof as to form by the City Attorney.

By Councilmember Wood

Motion Carried

REPORTS FROM COUNCIL COMMITTEES

There were no Committee Reports

ORDINANCES FOR INTRODUCTION

There were no Ordinances for Introduction

ORDINANCES FOR PASSAGE

There were no Ordinances for Passage

REPORTS FROM CITY OFFICERS, BOARDS, AND COMMISSIONS; COMMUNICATIONS AND PETITIONS; AND OTHER CITY RELATED MATTERS

By Councilmember Allen that all items be considered as being read in full and that President Leeman make the appropriate referrals

Motion Carried

Reports from City Officers, Board and Commissions:

- a. Letter from the City Clerk providing notice to Michael Bone of Capital Property Services D.B.A. 1-800-GOT JUNK of the Denial of a request to operate or own a Waste Hauler service license in the City of Lansing by the City Treasurer

RECEIVED AND PLACED ON FILE

- b. Letter from the City Clerk submitting an application for a permit/license filed by Bonnie's Place, Inc. to Transfer all Stock in 2007 Class C Licensed Business with Dance Permit, Located at 415 E. Saginaw, Lansing, MI 48906, Ingham County, thru Transfer of 25,000 Shares from Scott Feltenberger to New Stockholder Bonnie Stacey

RECEIVED AND PLACED ON FILE

- c. Letter from the City Clerk submitting minutes of Boards and Authorities placed on file in the City Clerk's Office

RECEIVED AND PLACED ON FILE

- d. Letter from the City Attorney re: Lakiesha Allen v City of

Lansing

RECEIVED AND PLACED ON FILE

e. Letters from the Mayor re:

- i. Re-filing of an application for the Establishment of a Neighborhood Enterprise Zone (NEZ) district filed by Richard Ferguson and Tom Knoy for the Riverbend/Whitehall property (an area bounded by E. Main Street to the north, the Grand River and Elm Street (west of the river) to the south, Townsend St. to the west, and the Grand River to the east)

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

- ii. Sole Source Purchase; Planning and Neighborhood Development Department, Transportation Office request for American Electric Vehicle Company for the purchase of four (4) electric parking scooters

REFERRED TO THE COMMITTEE ON WAYS AND MEANS AND INTERNAL AUDIT

- iii. Sole Source Purchase; Public Service Department, Wastewater Division request for Duperon Corporation for the purchase of four (4) 3/8" Bar Screens

REFERRED TO THE COMMITTEE ON WAYS AND MEANS AND INTERNAL AUDIT

- iv. Sole Source Purchase; Public Service Department/WWTP Division request for JWC Environmental for the purchase of parts, service, and repair to rebuild an existing channel grinder at Harton St. Pumping Station

REFERRED TO THE COMMITTEE ON WAYS AND MEANS AND INTERNAL AUDIT

- v. Requesting a public hearing for July 16, 2007 in consideration of the establishment of the Principal Shopping District Special Assessment Zones for the 2008 FY

REFERRED TO THE COMMITTEE ON WAYS AND MEANS AND INTERNAL AUDIT

- vi. Appointment of Calvin Jones to the Economic Development Corporation (EDC), Brownfield Redevelopment Authority (LBRA), and Tax Increment Finance Authority (TIFA) Board of Directors for a Term to Expire June 30, 2011

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

- vii. Appointment of Peter Kramer to the Board of Water & Light (BWL) Board of Commissioners for an At-Large Term to Expire June 30, 2011

REFERRED TO THE COMMITTEE OF THE WHOLE

- Communications and Petitions, and Other City Related Matters:

- a. Letter from the Tri-County Office on Aging submitting their Annual Implementation Plan FY 2008

REFERRED TO THE COMMITTEE ON INTERGOVERNMENTAL RELATIONS

- b. Letter from the Ingham County Drain Commissioner providing notice of the County Drainage Board Meeting to be held July 12, 2007 regarding the Smedley Coolidge and Montgomery Chapter 20 drains

RECEIVED AND PLACED ON FILE

- c. Letter from Comcast Cable providing notice of changes to their Complimentary Video Accounts

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

- d. Letter from Russell Terry of 121 E. Mt. Hope Ave. regarding a recycling fee claim reduction

REFERRED TO THE CITY ATTORNEY

- e. Letter from Elaine Kibbey of 1717 N. High St. stating concerns over funding cuts to Cristo Rey Community Center

REFERRED TO THE COMMITTEE ON GENERAL SERVICES AND
REFERRED TO THE HUMAN RELATIONS AND COMMUNITY
SERVICES DEPARTMENT

- f. Letter from Fred Williams of 350 E. Gier St. regarding previous letters to the City Council

RECEIVED AND PLACED ON FILE

REMARKS BY COUNCILMEMBERS

Councilmember Dunbar addressed some comments that were made by speakers regarding Peckham, Inc. and Councilmember Matt.

Councilmember Wood asked the administration to see if something can be done to update some of the playground equipment at Lyons Park. She said that the back stop at one of the ball fields is in really bad shape and needs repairs.

Councilmember Matt stated that comments made at last week's meeting by Councilmember Dunbar regarding his appointment to the Potter Park Zoo Board were very innocent and done in a joking manner. He spoke about the 3rd Ward response for the walking in the 4th of July parade. He said that he was happy to see such a good turnout.

Councilmember Dunbar spoke about the Common Grit bike event that will be taking place on July 15th as part of Common Ground.

Councilmember Kaltenbach asked the administration if they know if any scholarships were available for the Golf Camps. He said that he would like to donate \$100.00 toward scholarships for two 4th Ward kids to attend the camps.

President Leeman asked the administration to look into the issues of traffic on Grand River Ave. and Larch St at the railroad crossing.

City Clerk Swope stated that new voter ID cards were mail out a few months ago to the voters that were affected by the change in polling locations. He said there is a pamphlet available in the Clerk's Office that lists all the voting precincts and locations.

REMARKS BY THE MAYOR OR EXECUTIVE ASSISTANT

Jerry Ambrose, Executive Assistant to the Mayor, encouraged citizens to call regarding scholarship opportunities for the Golf Camps and thanked Councilmember Kaltenbach for his donation. He said that he will look into the Lyons Park concerns for Councilmember Wood. He thanked Council for their quick action on the grant acceptance for the SmartZone.

ADJOURNED TIME 8:54 P.M.

CHRIS SWOPE, CITY CLERK



**OFFICIAL PROCEEDINGS OF
THE CITY COUNCIL
CITY OF LANSING
PROCEEDINGS OF JULY 16, 2007**

City Council Chambers
Lansing, Michigan

The City Council of the City of Lansing met in regular session and was called to order at 7:00 p.m. by President Leeman.

PRESENT: Councilmembers Allen, Dunbar, Jeffries, Kaltenbach, Leeman, Matt, Quinney, Wood

ABSENT: None

The Council observed a moment of Meditation. Councilmember Jeffries asked that we remember the families of Tom Daher and Eric Patterson; both of whom passed away recently.

President Leeman led the Pledge of Allegiance

APPROVAL OF MINUTES

By Councilmember Jeffries

To approve the printed Council Proceedings of July 9, 2007

Motion carried

CONSIDERATION OF LATE ITEMS

By Vice President Jeffries

To suspend City Council Rule #11 to allow for Consideration of Late Items

Motion carried

There were no Late Items

TABLED ITEMS

SPECIAL CEREMONIES

- Special Ceremonies

There were no Special Ceremonies

COUNCILMEMBERS' COMMENTS AND CITY CLERK'S ANNOUNCEMENTS:

Councilmember Allen announced that the Old Everett Neighborhood Association will be meeting on Tuesday at Ingham Regional Educational Center at 7:00 p.m. The Forest View Neighborhood Association will be meeting on Wednesday at 7:00 p.m. at the University Club.

Councilmember Quinney announced that the Capital City African American Cultural Association will be presenting their 8th Annual African American Parade and Family Festival on Saturday, August 4 at 11:00 a.m.; the parade will be downtown. He stated that the Westside Garden Festival that was this past weekend was a huge success. He stated that he attended the Lugnuts game on Saturday with a senior citizen group

and that the group thanked the City Council for the tickets.

Councilmember Wood stated that anyone interested in participating in the African American Parade should call 484-2180. She stated that there is a church at the corner of Walnut and Genesee that will be collecting clothing for kids and women in the Westside area. Wednesday, the Friends of Turner-Dodge will be having their summer picnic from 5:30 p.m. to 7:30 p.m. in the gardens of Turner-Dodge House. She said tickets are \$10.00 per person and after the picnic is the Concert in the Park. Anyone needing more information can call 483-4220. She stated that there was a memorial service for Pluto who was an active K-9 Police dog for Lansing Police Department. She announced that the Police and Fire Retirement Board meeting has been canceled for this week.

Councilmember Matt announced that the Churchill Neighborhood Association will be meeting at Wainwright School on Tuesday at 6:30 p.m. The Colonial Village Neighborhood Association will be hosting an Ice Cream Social on Wednesday at 7:00 p.m. at Grace United Methodist Church. The Lansing/Eaton Neighborhood Association will be meeting at 1:00 p.m. on Saturday at Theo Fulton Park.

President Leeman stated that Bobby Adado will be hosting his annual "Feed the Homeless" cookout on Saturday from 10:00 a.m. to 6:00 p.m. at the corner of Larch St. and Shiawassee St.

City Clerk Swope stated that the Clerk's Office has received the Lansing League of Women Voters Voter Guide for the upcoming Primary election and that it is available in his office and also on the Clerk's Website at clerk.cityoflansingmi.com.

SPEAKER REGISTRATION FOR PUBLIC COMMENT

(Clerk Swope announced that the public comment registration form(s) for those intending to address Council on legislative or City government matters will be collected and that only those persons who have fully completed the form(s) will be permitted to speak.)

MAYOR'S COMMENTS

Jerry Ambrose, Executive Assistant to the Mayor, spoke about Common Ground Festival's overall turnout. He thanked everyone who worked to make Common Ground a success. He spoke about the permanent traffic diverters for the Genesee neighborhood. He spoke about items on the agenda for action.

State Representative Joan Bauer gave an update on what the State has done and will be doing for the City of Lansing.

Councilmember Allen thanked Representative Bauer for coming down and updating the City Council.

SHOW CAUSE HEARINGS

- Comment on Scheduled Show Cause Hearings:

There were no Show Cause Hearings

PUBLIC COMMENT ON LEGISLATIVE MATTERS

- Public Comment on Legislative Matters:

Legislative Matters included the following public hearings:

1. In consideration of the establishment of the Principal Shopping District Special Assessment Zones for the 2008 FY

Councilmember Wood gave a brief overview of the public hearing.

Eric Schertzing, Ingham County Treasurer, spoke in support of the Brownfield Redevelopment project for the Land Bank.

John Pollard of 1718 Blair St. spoke in opposition to the special assessment for the Principal Shopping District. He stated concerns with the Land Bank project.

Christine Timmon of 2519 Washington Ave. spoke in support of the Land Bank project. She spoke in opposition to the Principal Shopping District special assessment.

Darnell E. Oldham Sr of 3815 Berwick Dr spoke in opposition to the Principal Shopping District special assessment. He spoke in support of the Brownfield project.

Dru Vinson of 606 S. Fairview Ave. asked a few questions regarding the Land Bank project. He said more information should be given out on this project.

REFERRAL OF PUBLIC HEARINGS

1. In consideration of the establishment of the Principal Shopping District Special Assessment Zones for the 2008 FY

REFERRED TO THE COMMITTEE ON WAYS AND MEANS AND INTERNAL AUDIT

PUBLIC COMMENT ON CITY GOVERNMENT RELATED MATTERS:

Michael Morofsky of 1300 Woodbine Ave. stated concerns with some railroad crossings and asked for an update.

Jim Humble of 604 E. Fredrick Ave. spoke about problems with a business located near his home; he stated that the weeds and dirt piles are getting worse.

Frank S. Curtis X of 1137 West Allegan St. spoke about various city matters.

Bob Gray of 422 Dadson Dr. spoke about various city matters.

Christine Timmon of 2519 Washington Ave. spoke about various city matters.

Brian Smith of 1007 Woodbine Ave. invited the City Council, City Clerk and the Mayor to an event on August 24 from 11:30 a.m. to 1:30 p.m. for the Ingham County Animal Shelter.

Josie Lewis of Washington Mutual Bank asked Council to give the owner of the property at 3325 Felt St. additional time to finish the work; her bank is the mortgage holder.

Gary Bodiford of 1120 N. Jenison Ave. spoke about alleged discrimination on the part of the City and the UAW 2256.

John Pollard of 1718 Blair St. spoke about various city matters.

Russell Terry of 121 E. Mt Hope Ave. spoke about the recycling fee.

Andrew Brewer of 2920 Mersey Lane spoke about the Lansing Police

Department's treatment of his brother.

Andre Brewer of 4106 Woodbridge Dr. spoke about his recently settled case with the Lansing Police Department.

Darnell E. Oldham Sr of 3815 Berwick Dr spoke about various city matters.

Dru Vinson of 606 S. Fairview Ave. spoke about various city matters.

Willy Hobbs of 5017 Conners Ave. spoke about various city matters.

Willy Williams of P O Box 11042 spoke about various city matters.

LEGISLATIVE MATTERS

RESOLUTIONS

RESOLUTION#281

BY THE COMMITTEE ON DEVELOPMENT AND PLANNING
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

**Obsolete Property Rehabilitation Act: 906 Terminal Road
Establishment of OPRA District**

WHEREAS, the intending purchaser of property located at 906 Terminal Road in the City of Lansing, Michigan (the Property) has requested in writing that the City of Lansing establish an Obsolete Property Rehabilitation District (the District) as enabled by Public Act 146 of 2000, the Obsolete Property Rehabilitation Act (the Act), and

WHEREAS, the intending purchaser is the International Association of Heat and Frost Insulators Local 47, hereinafter called the Developer, and

WHEREAS, the Developer is intending to become the legal owner of greater than fifty percent (50%) of all taxable value of the property located within the proposed District, and

WHEREAS, the Developer has, in writing, requested the District for the Property and for the City of Lansing to take all necessary steps and actions to establish the District on their behalf, and

WHEREAS, the property in question and the proposed boundary of the District is legally described as: LOT 7 CAPITAL CITY WAREHOUSING SUB; and,

WHEREAS, the Act requires that before establishing the District the Lansing City Council hold a public hearing in order to provide an opportunity for owners, residents or other taxpayers of the City of Lansing to appear and be heard regarding the establishment of the District and that said public hearing was held on July 2, 2007;

NOW THEREFORE BE IT RESOLVED that the following property is hereby approved and established as an Obsolete Property Rehabilitation District as provided by Public Act 146 of 2000: LOT 7 CAPITAL CITY WAREHOUSING SUB, and

BE IT FINALLY RESOLVED that this resolution shall not be construed as the City Council's approval of any future application for an Obsolete Properties Rehabilitation Exemption Certificate for the Developer or any other applicant.

By Councilmember Jeffries

Motion Carried

RESOLUTION#282

BY THE PLANNING AND DEVELOPMENT COMMITTEE
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

RESOLUTION APPROVING THE
INGHAM COUNTY BROWNFIELD REDEVELOPMENT AUTHORITY
BROWNFIELD PLAN FOR THE REDEVELOPMENT OF
INGHAM COUNTY LAND BANK FAST TRACK AUTHORITY
PARCELS

WHEREAS, the Ingham County Board of Commissioners, pursuant to and in accordance with the provisions of the Brownfield Redevelopment Financing Act, being Act 381 of the Public Acts of the State of Michigan of 1996, as amended (the "Act"), has established the Ingham County Brownfield Redevelopment Authority ("ICBRA") to facilitate the cleanup and redevelopment of Brownfields within Ingham County's Communities; and

WHEREAS, the ICBRA has created a Brownfield redevelopment plan for the Ingham County Land Bank Authority Redevelopment Project (the "Plan"); and

WHEREAS, the major emphasis of the Plan is neighborhood and corridor revitalization; and

WHEREAS, certain properties in the Plan are within the County of Ingham and the City of Lansing and are Eligible Property as that term is defined under Michigan's Brownfield Redevelopment Financing Act because they are owned or under the control of the Ingham County Land Bank Authority; and

WHEREAS, The Lansing Brownfield Redevelopment Authority (LBRA) staff has duly reviewed such Plan and has found it to be in compliance with the provisions of the Act and meets the following determinations and findings:

The Plan constitutes a public purpose under the Act;

The Plan meets all of the requirements for a Brownfield plan set forth in Section 13 of the Act;

The proposed method of financing the cost of the eligible activities, as described in the Plan, is feasible and the ICBRA has the ability to arrange the financing;

The costs of the eligible activities proposed in the Plan are reasonable and necessary to carry out the purposes of the Act; and

The amount of the captured taxable value estimated to result from the adoption of the Plan is reasonable; and

WHEREAS, The LBRA approved the Plan on June 5, 2007 the following reasons:

The ICBRA will cleanup and redevelop over 100 mostly vacant and tax reverted residential properties in the City of Lansing;

The project will focus mainly on single family residential properties.

The ICBRA has the ability to gain possession and clear title of tax reverted parcels quickly so they can be rehabilitated and sold to new owner occupants.

WHEREAS, the Lansing City Council previously held a public hearing regarding this matter at its' regular meeting on July 9, 2007, where any resident, taxpayer or ad valorem taxing unit had the right to appear and be heard;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council concurs and approves the Ingham County Brownfield Redevelopment Authority Brownfield Plan for the Redevelopment of Ingham County Land Bank Fast Track Authority Parcels.

By Councilmember Jeffries

Motion Carried

RESOLUTION#283

BY THE COMMITTEE ON DEVELOPMENT AND PLANNING
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING
WHEREAS, the Mayor has requested confirmation of the appointment of Kara Wood, 1715 Drexel Road, Lansing, Michigan 48915 to the Historic District Commission for a term to expire June 30, 2010; and

WHEREAS, the Committee on Development and Planning met on July 11, 2007, and recommended confirmation of this appointment.

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby confirms the Mayor's appointment of Kara Wood, 1715 Drexel Road, Lansing, Michigan 48915 to the Historic District Commission for a term to expire June 30, 2010.

By Councilmember Jeffries

Motion Carried

RESOLUTION#284

BY THE COMMITTEE ON GENERAL SERVICES
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, REO Town Commercial Association has requested \$500 to defray costs associated with the Annual REO Town Music Festival; and

WHEREAS, the Committee on General Services met on July 9, 2007, to review this request and took affirmative action in the amount of \$500.00; and

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, approves a \$500 allocation from the Community Promotion Account to the REO Town Music Festival;

BE IT FURTHER RESOLVED, the Mayor and the Finance Department is authorized to process this request by charging \$500.00 to the Community Promotion Account – 101.112101.741289.0;

BE IT FINALLY RESOLVED, that the REO Town Commercial Association shall submit a written analysis of the event, including information regarding the number of attendees and a detail of their accounting of expenses, to the Lansing City Council within 60 days after the event.

By Councilmember Kaltenbach

Motion Carried

RESOLUTION#285

BY THE COMMITTEE ON GENERAL SERVICES
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Rex Menzer, Estate of Rex Menzer and Ppersonal Representative, Attorney Patricia L. McAvoy, sought to eliminate the Special Assessment of \$2,176.05 and all associated penalties and interest on the property tax bill involving a Trash and Debris violation and Board-up placed on the property at 512 Hylewood ; and

WHEREAS, the General Services Committee met on July 9, 2007 and denied the claim involving a Special Assessment on a Trash and Debris violation and Board-up fee placed on the property at 512 Hylewood;

NOW, THEREFORE, BE IT RESOLVED that the City Council, hereby, denies the claim Rex Menzer, Estate of Rex Menzer and Personal Rrepresentative, Attorney Patricia L. McAvoy, sought to eliminate the Special Assessment of \$2,176.05 and all associated

penalties and interest on the property tax bill involving a Trash and Debris violation and Board-up placed on the property at 512 Hylewood;

BE IT FURTHER RESOLVED that the City Attorney shall take the appropriate steps to process this claim.

By Councilmember Kaltenbach

Motion Carried

RESOLUTION#286

BY THE COMMITTEE ON WAYS AND MEANS
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the City of Lansing desires to encourage and support shopping and commercial activity in the Principal Shopping District area by public improvement to develop, redevelop, promote economic activity and provide for the maintenance, security and operation of the Principal Shopping District by such public improvement which especially benefits any property within a district; and

WHEREAS, the City of Lansing desires to encourage promotional efforts, business recruitment in all zones and physical improvements and maintenance services (in zone "A") of the Principal Shopping District; and

WHEREAS, the City of Lansing has determined that this should be provided through special assessment zones established for the purpose of financing Principal Shopping District activities; and

WHEREAS, the City of Lansing has determined that the cost of providing such services should be recovered by a special assessment against properties especially benefited as authorized by Act No. 120 of the Public Acts of 1961, as amended, and Chapters 812 and 1026 of the Lansing Code of Ordinances; and

WHEREAS, the City of Lansing has reviewed the proposed special assessment boundaries; and

WHEREAS, the City of Lansing has also reviewed the proposed services within the boundaries with an estimated cost of these services, and

WHEREAS, the City Clerk published notice of the public hearing held in consideration of the Principal Shopping District special assessment roll in a newspaper of general circulation at least 10 (ten) days prior to the date of the hearing; and

WHEREAS, a notice to the affected owners of the properties in said district was published in accordance with Chapter 1026 of the Lansing Code of Ordinances; and

WHEREAS, the Lansing City Council held a public hearing on Monday, July 16, 2007, in the City Council Chambers, 10th floor, City Hall, Michigan in consideration of the establishment of the Principal Shopping District special assessment roll number PSD 2007-A, PSD 2007-B, PSD 2007-C pursuant to Chapter 812 and 1026 of the City of Lansing Code of Ordinance;

NOW, THEREFORE, BE IT RESOLVED that the special assessment zones for the Principal Shopping District are established by City Council as follows:

Principal Shopping District: Beginning at the intersection of West right-of-way line of S. Capitol Avenue and the north right-of-way line of W. St. Joseph Street, "Point of Beginning," North along S. Capitol Avenue right-of-way line to the center-line of W. Washtenaw Street, west along the center-line of W. Washtenaw Street to the center-line of Townsend Street, north along the center-line of Townsend Street to the center-line of W. Allegan Street, then east along the W. Allegan Street center-line to the center-line of S. Capitol Avenue, north along the S. Capitol Avenue

center-line to the center-line of W. Saginaw Street, east along the W. Saginaw Street center-line to the west right-of-way line of N. Washington Avenue, north along the N. Washington Avenue right-of-way line to the north right-of-way line of W. Grand River Avenue, east along the W. Grand River Avenue right-of-way line to the west right-of-way line of Turner Street, north along the Turner Street right-of-way line to the north right-of-way line of Clinton Street, east along Clinton Street right-of-way to the east right-of-way line of Center Street, south along the Center Street right-of-way line to the north right-of-way line of Liberty Street, east along the Liberty Street right-of-way line to the center-line of N. Cedar Street, south along the N. Cedar Street center-line to the south right-of-way line of East Grand River Avenue, east along the E. Grand River Avenue right-of-way line to the west right-of-way line of N. Larch Street, south along the N. Larch Street right-of-way line to the center-line of E. Shiawassee Street, east along the E. Shiawassee Street center-line to the west right-of-way line of the Conrail right-of-way, south along the Conrail right-of-way line to the south right-of-way line of E. Michigan Avenue, west along the E. Michigan Avenue right-of-way to the east right-of-way line of S. Larch Street, south along the S. Larch Street right-of-way line to the center-line of E. Kalamazoo Street, then west along E. Kalamazoo Street center-line to the center-line of S. Larch Street, then south along the S. Larch Street center-line to the north right-of-way line of St. Joseph Street (extended), west along the St. Joseph Street right-of-way line (extended) to the Point of Beginning.

The Principal Shopping District, as described herein, shall contain zones as described below:

Zone A: Beginning at the intersection of the center-line of W. Shiawassee Street and the center-line of N. Capitol Avenue, the "Point of Beginning - A", east along the center-line of Shiawassee Street to the west right-of-way line of the Conrail right-of-way, south along the Conrail right-of-way line to the center-line of E. Michigan Avenue, west along the center-line of E. Michigan Avenue to the center-line of S. Cedar Street, south along the S. Cedar Street center-line to the center-line of E. Kalamazoo Street, west along the E. Kalamazoo Street center-line to the center-line of Museum Drive, northwesterly along the center-line of Museum Drive to the north line of Impression Five Condominium (extended), west along the said north line of Impression Five Condominium (extended) to the center-line of the Grand River, southeasterly along the center of the Grand River to the center-line of E. Kalamazoo Street, continuing along the center-line of E. Kalamazoo Street to the center-line of Grand Avenue, south along the Grand Avenue center-line to the center-line of W. Lenawee Street, west along the W. Lenawee Street center-line to the west right-of-way line of S. Capitol Avenue, north along the west right-of-way line of S. Capitol Avenue to W. Washtenaw Street, west along the centerline of W. Washtenaw Street to the centerline of Townsend Street, north along the centerline of Townsend Street to the centerline of W. Allegan Street, then east along the W. Allegan Street center-line of W. Allegan Street to the center-line of S. Capitol Avenue, north along the S. Capitol Avenue center-line to the Point of Beginning - A.

Zone B: Beginning at the intersection of west right-of-way line of N. Washington Avenue and the north right-of-way line of W. Grand River Avenue, the "Point of Beginning - B," east along the W. Grand River right-of-way line to the west right-of-way line of Turner Street, north along the Turner Street right-of-way line to the north right-of-way line of Clinton Street, east along the Clinton Street right-of-way line to the east right-of-way line of Center Street, south along the Center Street right-of-way line to the north right-of-way line of Liberty Street, east along the Liberty Street right-of-way line to the center, line of N. Cedar Street, south along the N. Cedar Street center-line to the center-line of E. Maple Street, west along E. Maple Street center-line (as aligned) to the west right-of-way line of N. Washington Avenue, north along the N. Washington Avenue right-of-way line to the Point of Beginning - B.

Zone C - North: Beginning at the intersection of the center-line of N. Capitol Avenue and the center-line of W. Shiawassee Street, the "Point of Beginning - C (North)," north along the N. Capitol Avenue center-line to the center-line of W. Saginaw Street, east along the W. Saginaw Street center-line to west right-of-way line of N. Washington Avenue, north along the N. Washington Avenue right-of-way line to the center-line of E. Maple Street, east along E. Maple Street (as aligned) center-line to the center-line of N. Cedar Street, north along the N. Cedar Street center-line to the south right-of-way line of E. Grand River Avenue, east along the E. Grand River Avenue right-of-way line to the west right-of-way line of N. Larch Street, south along the N. Larch Street right-of-way line to the center-line of E. Shiawassee Street, west along the E. Shiawassee Street Center-line to the Point of Beginning - C (North).

Zone C - South: Beginning at the intersection of the west right-of-way line of S. Capitol Avenue and the center-line of W. Lenawee Street, the "Point of Beginning - C (South)," east along the W. Lenawee Street center-line to the center-line of Grand Avenue, north along Grand Avenue center-line to the center-line of E. Kalamazoo Street, east along the Kalamazoo Street center-line to the center of the Grand River, northwesterly along the center-line of the Grand River to the north line of Impression Five Condominium (extended), east along the north line of Impression Five Condominium (extended) to the center-line of Museum Drive, southeasterly along the center-line of Museum Drive to the center-line of E. Kalamazoo Street, east along the Kalamazoo Street center-line to the center-line of S. Cedar Street, north along the Cedar Street center-line to the center-line of E. Michigan Avenue, east along the E. Michigan Avenue center-line to the west right-of-way line of the Conrail right-of-way, south along the Conrail right-of-way line to the south right-of-way line of E. Michigan Avenue, then west along the E. Michigan Avenue right-of-way line to the east right-of-way line of S. Larch Street, south along the S. Larch Street right-of-way line to the center-line of E. Kalamazoo Street, west along the E. Kalamazoo Street center-line to the center-line of S. Larch Street, south along the S. Larch Street center-line to the north right-of-way line of St. Joseph Street (extended), west along the St. Joseph Street right-of-way line (extended) to the west right-of-way line of S. Capitol Avenue, then north along the S. Capitol Avenue right-of-way to the Point of Beginning - C (South).

BE IT FURTHER RESOLVED, that the Principal Shopping District public improvements and services be supported by a special assessment of these costs against the properties especially benefited as follows:

ZONE A - 13.2 cents per square foot for first floor and 6 cents per square foot for second floors and above, parking structures at the rate of 4.8 cents per square foot for the main floors and 2.4 cents per square foot for second floors and above, parking lots at 4.8 cents per square foot, vacant land at 1.2 cents per square foot, and industrial & manufacturing properties at 2.4 cents per square foot for the first floor and 1.2 cents per square foot for second floors and above; for a total of \$386,129.16.

ZONE B - 9.2 cents per square foot for first floor and 3.45 cents per square foot for second floors and above, parking structures at the rate of 4.6 cents per square foot for the main floors and 2.3 cents per square foot for second floors and above, parking lots at 4.6 cents per square foot, vacant land at 1.15 cents per square foot, and industrial & manufacturing properties at 2.3 cents per square foot for the first floor and 1.15 cents per square foot for second floors and above; for a total of \$22,542.70.

ZONE C (North & South) - 2 cents per square foot for first floor and 1 cent per square foot for second floors and above, parking structures at the rate of 2 cents per square foot for the main floors and 1 cent per square foot for second floors and above, parking lots at 2 cents per square foot, vacant land at 1 cent per square foot, and industrial & manufacturing properties at 2 cents per square foot for the first floor and 1 cent per square foot for second floors and above; for a total of \$29,285.75.

BE IT FURTHER RESOLVED that the cost and expense of making estimates, plans and assessments incidental to the preparation of the assessment and the role, and providing notices shall be included in the expense of the assessment.

BE IT FURTHER RESOLVED that the Principal Shopping District public improvement and services be financed by a special assessment of these costs against the properties especially benefited as contained in the assessment Roll No. PSD07-A/PSD07-B/PSD07-C, compiled by the City Assessor and presented to Council with this resolution.

BE IT FURTHER RESOLVED that in zones "A," "B," and "C" (North & South), all property owners whose assessment would otherwise exceed \$10,000.00 per one parcel, shall be capped at no more than \$10,000.00 per one parcel on an annual basis.

BE IT FURTHER RESOLVED that in zones "A," "B," and "C" (North & South), any property owned by a non-profit entity which as received a Federal IRS Section 501(c)(3) non-profit designation shall have their property assessment capped at 40% of the proposed assessment rate; provided that said entity shall file with the City Assessor, not later than August 13, 2007 a written application for non-profit Principal Shopping District designation, together with a copy of said determination of IRS Section 501 (c)(3) status.

BE IT FINALLY RESOLVED that Special Assessment roll Number PSD 2007-A, PSD 2007-B, PSD 2007-C as presented and as returned by the City Assessor, is hereby, ratified and confirmed, and the Mayor is authorized to affix within ten days his warrant directing the City Treasurer to collect said tax. If said payment is not received by October 31, 2007, said tax will be placed on the December tax roll without interest or penalty.

By Councilmember Wood

Motion Carried

RESOLUTION#287

BY THE COMMITTEE ON PUBLIC SAFETY
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Code Compliance Manager has determined that the building located at 513 Isbell, Parcel #3301.01.21.477.040 legally described as: **W 28 Ft of E 56 Ft Lots 51 & 52 Torrance Farm Add** is an unsafe or dangerous building as defined in Section 1460.24 of the Lansing Uniform Housing Code and the Housing Law of Michigan and was red tagged on **July 22, 2004**; and

WHEREAS, a hearing was held by the Hearing Officers on **December 7, 2006**, at which the Hearing Officers determined that said building was an unsafe and dangerous building and ordered the building demolished or made safe by **January 25, 2007**; and

WHEREAS, said Hearing Officers filed a report of their findings and order with the City Council and requested the City Council to take appropriate action under the Lansing Housing and Premises Code and the Housing Law of Michigan; and

WHEREAS, the Housing Law of Michigan and Premises Code require a hearing be conducted to give the property owner an opportunity to show cause why a dangerous structure should not be demolished or otherwise made safe; and

WHEREAS, the City Council held a public hearing on **June 25, 2007**, to review the findings and the order of the Hearing Officers and the owners were notified in writing of said hearing and had an opportunity to appear and show cause why said building should not be demolished or otherwise made safe; and

WHEREAS, the Code Compliance Office has determined that compliance with the order of the Lansing Demolition Hearing Board Officer has not occurred; and

NOW, THEREFORE, BE IT RESOLVED that the owner(s) of **513 Isbell** are hereby directed to comply with the order of the Hearing Officers to demolish or otherwise make safe the said building within **thirty (30) days** from the date of this resolution, **Monday, July 16, 2007**.

BE IT FURTHER RESOLVED that the property owner(s) is hereby notified that this order must be appealed within twenty days pursuant to MCL 125.542 and should the owners fail to comply with the Hearing Officers' order for demolition or make safe, the Manager of Code Compliance is hereby directed to proceed with demolition of said building.

BE IT FURTHER RESOLVED whether demolition is accomplished by said property owner or the city that appropriate seeding and restoration of property take place to avoid run-off to adjacent properties.

BE IT FURTHER RESOLVED that the cost of such demolition shall be a lien against the real property and shall be reported to the City Assessor.

BE IT FINALLY RESOLVED that the owners in whose name the property appears upon the last local tax assessment record shall be notified by the City Assessor of the amount of such cost by first class mail at the address shown on the records. Upon the owners failure to pay the same within thirty (30) days after mailing by the City Assessor of the notice of the amount thereof, the amount of said costs shall be a lien and shall be filed and recovered as provided by law and the lien shall be collected and treated in the same manner as provided for property tax liens under the general property tax act.

By Councilmember Allen

Motion Carried

RESOLUTION#288

BY THE COMMITTEE ON PUBLIC SAFETY
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Code Compliance Manager has determined that the building located at **1414 Prospect, Parcel #3301.01.15.407.321** legally described as: **N 25 Ft of W 60 Ft of E 180 Ft Lot 1 Assessors Plat No 18 Also Outlot B & E 6.75 Ft Lot 58 & W 3.25 Ft Lot 59 Ludwig Park Sub** is an unsafe or dangerous building as defined in Section 1460.24 of the Lansing Uniform Housing Code and the Housing Law of Michigan and was red tagged on **October 23, 2006**; and

WHEREAS, a hearing was held by the Hearing Officers on **December 7, 2006**, at which the Hearing Officers determined that said building was an unsafe and dangerous building and ordered the building demolished or made safe by **January 25, 2007**; and

WHEREAS, said Hearing Officers filed a report of their findings and order with the City Council and requested the City Council to take appropriate action under the Lansing Housing and Premises Code and the Housing Law of Michigan; and

WHEREAS, the Housing Law of Michigan and Premises Code require a hearing be conducted to give the property owner an opportunity to show cause why a dangerous structure should not be demolished or otherwise made safe; and

WHEREAS, the City Council held a public hearing on **June 25, 2007**, to review the findings and the order of the Hearing Officers and the owners were notified in writing of said hearing and had an opportunity to appear and show cause why said building should not be demolished or otherwise made safe; and

WHEREAS, the Code Compliance Office has determined that compliance with the order of the Lansing Demolition Hearing Board Officer has not occurred; and

NOW, THEREFORE, BE IT RESOLVED that the owner(s) of **1414 Prospect** are hereby directed to comply with the order of the Hearing Officers to demolish or otherwise make safe the said building within **sixty (60) days** from the date of this resolution, **Monday, July 16, 2007**.

BE IT FURTHER RESOLVED that the property owner(s) is hereby notified that this order must be appealed within twenty days pursuant to MCL 125.542 and should the owners fail to comply with the Hearing Officers' order for demolition or make safe, the Manager of Code Compliance is hereby directed to proceed with demolition of said building.

BE IT FURTHER RESOLVED whether demolition is accomplished by said property owner or the city that appropriate seeding and restoration of property take place to avoid run-off to adjacent properties.

BE IT FURTHER RESOLVED that the cost of such demolition shall be a lien against the real property and shall be reported to the City Assessor.

BE IT FINALLY RESOLVED that the owners in whose name the property appears upon the last local tax assessment record shall be notified by the City Assessor of the amount of such cost by first class mail at the address shown on the records. Upon the owners failure to pay the same within thirty (30) days after mailing by the City Assessor of the notice of the amount thereof, the amount of said costs shall be a lien and shall be filed and recovered as provided by law and the lien shall be collected and treated in the same manner as provided for property tax liens under the general property tax act.

By Councilmember Allen

To accept a substitute resolution for the one originally placed in the packet

Motion Carried

By Councilmember Allen

To place an affirmative roll on the substitute resolution

Motion Carried

RESOLUTION#289

BY THE COMMITTEE ON PUBLIC SAFETY
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Code Compliance Manager has determined that the building located at **1223 N. Capitol, Parcel #3301.01.09.327.131** legally described as: **Lot 3 Bloc 30 Orig Plat** is an unsafe or dangerous building as defined in Section 1460.24 of the Lansing Uniform Housing Code and the Housing Law of Michigan and was red tagged on **February 4, 2002**; and

WHEREAS, a hearing was held by the Hearing Officers on **December 7, 2006**, at which the Hearing Officers determined that said building was an unsafe and dangerous building and ordered the building demolished or made safe by **January 25, 2007**; and

WHEREAS, said Hearing Officers filed a report of their findings and order with the City Council and requested the City Council to take appropriate action under the Lansing Housing and Premises Code and the Housing Law of Michigan; and

WHEREAS, the Housing Law of Michigan and Premises Code require a hearing be conducted to give the property owner an opportunity to show cause why a dangerous structure should not be demolished or otherwise made safe; and

WHEREAS, the City Council held a public hearing on **June 25, 2007**, to review the findings and the order of the Hearing Officers and the owners were notified in writing of said hearing and had an opportunity to appear and show cause why said building should not be demolished or otherwise made safe; and

WHEREAS, the Code Compliance Office has determined that compliance with the order of the Lansing Demolition Hearing Board Officer has not occurred; and

NOW, THEREFORE, BE IT RESOLVED that the owner(s) of **1223 N. Capitol** are hereby directed to comply with the order of the Hearing Officers to demolish or otherwise make safe the said building within **sixty (60) days** from the date of this resolution, **Monday, July 16, 2007**.

BE IT FURTHER RESOLVED that the property owner(s) is hereby notified that this order must be appealed within twenty days pursuant to MCL 125.542 and should the owners fail to comply with the Hearing Officers' order for demolition or make safe, the Manager of Code Compliance is hereby directed to proceed with demolition of said building.

BE IT FURTHER RESOLVED whether demolition is accomplished by said property owner or the city that appropriate seeding and restoration of property take place to avoid run-off to adjacent properties.

BE IT FURTHER RESOLVED that the cost of such demolition shall be a lien against the real property and shall be reported to the City Assessor.

BE IT FINALLY RESOLVED that the owners in whose name the property appears upon the last local tax assessment record shall be notified by the City Assessor of the amount of such cost by first class mail at the address shown on the records. Upon the owners failure to pay the same within thirty (30) days after mailing by the City Assessor of the notice of the amount thereof, the amount of said costs shall be a lien and shall be filed and recovered as provided by law and the lien shall be collected and treated in the same manner as provided for property tax liens under the general property tax act.

By Councilmember Allen

To accept a substitute resolution for the one originally placed in the packet

Motion Carried

By Councilmember Allen

To place an affirmative roll on the substitute resolution

Motion Carried

RESOLUTION#290

BY THE COMMITTEE ON PUBLIC SAFETY
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Code Compliance Manager has determined that the building located at **926 Just-A-Mere, Parcel #3301.05.10.351.231** legally described as: **Lot 45 Just-A-Mere Farm Sub** is an unsafe or dangerous building as defined in Section 1460.24 of the Lansing Uniform Housing Code and the Housing Law of Michigan and was red tagged on **November 8, 2006**; and

WHEREAS, a hearing was held by the Hearing Officers on **January 25, 2007**, at which the Hearing Officers determined that said building was an

unsafe and dangerous building and ordered the building demolished or made safe by **February 28, 2007**; and

WHEREAS, said Hearing Officers filed a report of their findings and order with the City Council and requested the City Council to take appropriate action under the Lansing Housing and Premises Code and the Housing Law of Michigan; and

WHEREAS, the Housing Law of Michigan and Premises Code require a hearing be conducted to give the property owner an opportunity to show cause why a dangerous structure should not be demolished or otherwise made safe; and

WHEREAS, the City Council held a public hearing on **July 2, 2007**, to review the findings and the order of the Hearing Officers and the owners were notified in writing of said hearing and had an opportunity to appear and show cause why said building should not be demolished or otherwise made safe; and

WHEREAS, the Code Compliance Office has determined that compliance with the order of the Lansing Demolition Hearing Board Officer has not occurred; and

NOW, THEREFORE, BE IT RESOLVED that the owner(s) of **926 Just-A-Mere** are hereby directed to comply with the order of the Hearing Officers to demolish or otherwise make safe the said building within **sixty (60) days** from the date of this resolution, **Monday, July 16, 2007**.

BE IT FURTHER RESOLVED that the property owner(s) is hereby notified that this order must be appealed within twenty days pursuant to MCL 125.542 and should the owners fail to comply with the Hearing Officers' order for demolition or make safe, the Manager of Code Compliance is hereby directed to proceed with demolition of said building.

BE IT FURTHER RESOLVED whether demolition is accomplished by said property owner or the city that appropriate seeding and restoration of property take place to avoid run-off to adjacent properties.

BE IT FURTHER RESOLVED that the cost of such demolition shall be a lien against the real property and shall be reported to the City Assessor.

BE IT FINALLY RESOLVED that the owners in whose name the property appears upon the last local tax assessment record shall be notified by the City Assessor of the amount of such cost by first class mail at the address shown on the records. Upon the owners failure to pay the same within thirty (30) days after mailing by the City Assessor of the notice of the amount thereof, the amount of said costs shall be a lien and shall be filed and recovered as provided by law and the lien shall be collected and treated in the same manner as provided for property tax liens under the general property tax act.

By Councilmember Allen

To accept a substitute resolution for the one originally placed in the packet

Motion Carried

By Councilmember Allen

To place an affirmative roll on the substitute resolution

Motion Carried

RESOLUTION#291

BY THE COMMITTEE ON PUBLIC SAFETY
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Code Compliance Manager has determined that the building located at **1561 Roosevelt, Parcel #3301.01.08.228.591** legally described as: **Lot 181 Knollwood Park** is an unsafe or dangerous building as defined in Section 1460.24 of the Lansing Uniform Housing Code and the Housing Law of Michigan and was red tagged on **August 15, 2001 and November 29, 2006**; and

WHEREAS, a hearing was held by the Hearing Officers on **January 25, 2007**, at which the Hearing Officers determined that said building was an unsafe and dangerous building and ordered the building demolished or made safe by **February 28, 2007**; and

WHEREAS, said Hearing Officers filed a report of their findings and order with the City Council and requested the City Council to take appropriate action under the Lansing Housing and Premises Code and the Housing Law of Michigan; and

WHEREAS, the Housing Law of Michigan and Premises Code require a hearing be conducted to give the property owner an opportunity to show cause why a dangerous structure should not be demolished or otherwise made safe; and

WHEREAS, the City Council held a public hearing on **July 2, 2007**, to review the findings and the order of the Hearing Officers and the owners were notified in writing of said hearing and had an opportunity to appear and show cause why said building should not be demolished or otherwise made safe; and

WHEREAS, the Code Compliance Office has determined that compliance with the order of the Lansing Demolition Hearing Board Officer has not occurred; and

NOW, THEREFORE, BE IT RESOLVED that the owner(s) of **1561 Roosevelt** are hereby directed to comply with the order of the Hearing Officers to demolish or otherwise make safe the said building within **sixty (60) days** from the date of this resolution, **Monday, July 16, 2007**.

BE IT FURTHER RESOLVED that the property owner(s) is hereby notified that this order must be appealed within twenty days pursuant to MCL 125.542 and should the owners fail to comply with the Hearing Officers' order for demolition or make safe, the Manager of Code Compliance is hereby directed to proceed with demolition of said building.

BE IT FURTHER RESOLVED whether demolition is accomplished by said property owner or the city that appropriate seeding and restoration of property take place to avoid run-off to adjacent properties.

BE IT FURTHER RESOLVED that the cost of such demolition shall be a lien against the real property and shall be reported to the City Assessor.

BE IT FINALLY RESOLVED that the owners in whose name the property appears upon the last local tax assessment record shall be notified by the City Assessor of the amount of such cost by first class mail at the address shown on the records. Upon the owners failure to pay the same within thirty (30) days after mailing by the City Assessor of the notice of the amount thereof, the amount of said costs shall be a lien and shall be filed and recovered as provided by law and the lien shall be collected and treated in the same manner as provided for property tax liens under the general property tax act.

By Councilmember Allen

To accept a substitute resolution for the one originally placed in the packet

Motion Carried

By Councilmember Allen

To place an affirmative roll on the substitute resolution

Motion Carried

THIS ITEM WAS TABLED

BY THE COMMITTEE ON PUBLIC SAFETY
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Code Compliance Manager has determined that the building located at **3325 Felt Street, Parcel #3301.01.04.108.111** legally described as: **Lots 55 & 56 Fairfield Gardens Sub** is an unsafe or dangerous building as defined in Section 1460.24 of the Lansing Uniform Housing Code and the Housing Law of Michigan and was red tagged on **June 7, 2006**; and

WHEREAS, a hearing was held by the Hearing Officers on **March 22, 2007**, at which the Hearing Officers determined that said building was an unsafe and dangerous building and ordered the building demolished or made safe by **April 26, 2007**; and

WHEREAS, said Hearing Officers filed a report of their findings and order with the City Council and requested the City Council to take appropriate action under the Lansing Housing and Premises Code and the Housing Law of Michigan; and

WHEREAS, the Housing Law of Michigan and Premises Code require a hearing be conducted to give the property owner an opportunity to show cause why a dangerous structure should not be demolished or otherwise made safe; and

WHEREAS, the City Council held a public hearing on **July 2, 2007**, to review the findings and the order of the Hearing Officers and the owners were notified in writing of said hearing and had an opportunity to appear and show cause why said building should not be demolished or otherwise made safe; and

WHEREAS, the Code Compliance Office has determined that compliance with the order of the Lansing Demolition Hearing Board Officer has not occurred; and

NOW, THEREFORE, BE IT RESOLVED that the owner(s) of **3325 Felt Street** are hereby directed to comply with the order of the Hearing Officers to demolish or otherwise make safe the said building within **sixty (60) days** from the date of this resolution, **Monday, July 16, 2007**.

BE IT FURTHER RESOLVED that the property owner(s) is hereby notified that this order must be appealed within twenty days pursuant to MCL 125.542 and should the owners fail to comply with the Hearing Officers' order for demolition or make safe, the Manager of Code Compliance is hereby directed to proceed with demolition of said building.

BE IT FURTHER RESOLVED whether demolition is accomplished by said property owner or the city that appropriate seeding and restoration of property take place to avoid run-off to adjacent properties.

BE IT FURTHER RESOLVED that the cost of such demolition shall be a lien against the real property and shall be reported to the City Assessor.

BE IT FINALLY RESOLVED that the owners in whose name the property appears upon the last local tax assessment record shall be notified by the City Assessor of the amount of such cost by first class mail at the address shown on the records. Upon the owners failure to pay the same within thirty (30) days after mailing by the City Assessor of the notice of the amount thereof, the amount of said costs shall be a lien and shall be filed and recovered as provided by law and the lien shall be collected and treated in the same manner as provided for property tax liens under the general property tax act.

By Councilmember Allen

To accept a substitute resolution for the one originally placed in the packet

Motion Carried

By Councilmember Allen

To place an affirmative roll on the substitute resolution

By Councilmember Jeffries

To table the resolution

Motion Carried

THIS ITEM WAS RETURNED TO COMMITTEE AND REFERRED TO THE COMMITTEE OF THE WHOLE

BY THE COMMITTEE ON PUBLIC SAFETY
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the City of Lansing recognizes the jurisdictional restrictions of a police officer's authority can impeded the ability of police officers from aiding a resident in immediate need of help while doing business outside the officer's jurisdiction; and

WHEREAS, the City of Lansing recognizes, when a resident is in apparent danger and law enforcement action by an officer outside his or her jurisdiction is present, the imminent need of the resident outweighs the jurisdictional restrictions facing the officer; and

WHEREAS, the City of Lansing recognizes certain law enforcement emergencies occur requiring the immediate response of assistance from neighboring law enforcement agencies without the benefit of on site command approval; and

WHEREAS, the City of Lansing recognizes the mutual advantage and benefit of supplemental police protection rendered by other law enforcement agencies in the event of an emergent need, or a special police need of a magnitude that has developed, appears to be developing, or is anticipated, where the special police need is beyond the capabilities of a single police department and therefore requires the assistance of one or more other agencies; and

WHEREAS, the City of Lansing recognizes the need to participate in the Ingham County Mutual Police Assistance Agreement with the partnering law enforcement agencies of Ingham County for the purpose of enhancing law enforcement efforts and the safety of the public; and

NOW, THEREFORE, BE IT RESOLVED that the City of Lansing agrees to participate in the Ingham County Mutual Police Assistance Agreement; and

BE IT FURTHER RESOLVED that the Mayor and the Chief of Police are authorized to take additional measures to execute and enforce the Ingham County Mutual Police Assistance Agreement; and

BE IT FINALLY RESOLVED that the City Clerk shall provide a certified copy of the Resolution to each of the other parties to this Agreement.

By Councilmember Allen

To place an affirmative roll on the substitute resolution

By Councilmember Kaltenbach

To recommit the resolution and refer it to the Committee of the Whole

Motion Carried

RESOLUTION#292

BY THE COMMITTEE ON PUBLIC SERVICE
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

PUBLIC IMPROVEMENT III

WHEREAS, pursuant to the Public Improvement I/II resolution adopted by this council on February 19, 2007, the City Assessor has completed the assessment roll for sidewalk repair and construction, and furnished the following information:

PROJECT TITLE: 2007 Sidewalk Repair "B"
P.S. #01091

PROPERTY BENEFITED:

An area bounded by Jolly Rd., Crocus Ave., Bluebell Dr., and S. Washington Ave., and An area bounded by Jolly Rd., Ballard Rd., Ingham St., and Fielding Dr., and An area bounded by Cavanaugh Rd., S. Pennsylvania Ave., Vernon Ave., and Parkway Blvd., Excepting all public streets and alleys and other land deemed not benefited

ENGINEER'S ESTIMATE, COST OF IMPROVEMENTS:

Assessment Roll Number B-006	City Contribution	Assessable to Property Owner
Sidewalk	\$221,872.59	\$85,052.69
Drive Approaches	\$0.00	\$9,469.98
Other Cost	\$51,903.74	\$0.00
Total	\$273,776.33	\$94,522.67

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council will hold a public hearing on Monday, July 30, 2007 at 7:00 PM, in the Council Chambers, to review, prior to confirmation, said assessment roll; and

BE IT FURTHER RESOLVED that the City Clerk and the Public Service Director are hereby requested to give due notice of this public hearing as provided by Chapter 1020, Section 1026.06(c)(1), of the Code of Ordinances by publishing a notice of a public hearing in a daily newspaper of the City, not more than twenty days and not less than ten days before such public hearing. Said notice shall include the time and place of the hearing; a description of the section or area of the City determined by Council to be within the assessment district as contained in the special assessment roll; where the special assessment roll is on file and may be examined; that any person aggrieved by the assessments as contained in the special assessment roll, or the necessity of the improvement, may file a written objection thereto which must be delivered to the City Clerk prior to the close of the hearing, or the person may appear and protest the same at the public hearing in person or by his or her representative; that the appearance and protest or written protest in the manner described is required if the person desires to appeal the amount of the assessment to the Michigan Tax Tribunal; and that any appeal to the Michigan Tax Tribunal must be taken within thirty days of the confirmation of the special assessment roll, provided a protest was timely made.

BE IT FINALLY RESOLVED, that pursuant to the requirement of 1962 PA 162, as amended, MCL 211.741, et seq.; MSA 5.3534(1), et seq., appearance and protest at the hearing in the special assessment proceedings is required in order to appeal the amount of the special assessment to the State Tax Tribunal. An owner or party in interest, or his or her agent may appear in person at the hearing to protest the special assessment, or shall be permitted to file his or her appearance or protest by letter and his or her personal appearance

shall not be required.

Funds are available for the City of Lansing's share of the project in accounts as follows:

City Share of Sidewalk \$273,776.33	<u>Account Number</u> 410 933690 974200 013026
Assessment Roll B-78 \$94,522.67	Acct to be established

By Councilmember Dunbar

Motion Carried

RESOLUTION#293

BY THE COMMITTEE ON PUBLIC SERVICES
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING
WHEREAS, the Mayor has requested confirmation of the appointment of Kris Elliott, 101 S. Washington Square, Lansing, Michigan 48933 to the Principal Shopping District Board of Directors representing Downtown Business Owners for a term to expire June 30, 2010; and

WHEREAS, the Committee on Public Services met on July 11, 2007, and recommended confirmation of this appointment.

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby confirms the Mayor's appointment of Kris Elliott, 101 S. Washington Square, Lansing, Michigan 48933 to the Principal Shopping District Board of Directors representing Downtown Business Owners for a term to expire June 30, 2010.

By Councilmember Dunbar

Motion Carried

RESOLUTION#294

BY THE COMMITTEE ON WAYS & MEANS
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

That the following FY 2008 transfer be approved;

POLICE ADMINISTRATION

AMOUNT TO TRANSFER	TRANSFER FROM ACCOUNT #	TRANSFER TO ACCOUNT #
\$246.32	Donations/Contributions Revenue 101.0675000.0	
\$246.32		Police Donations/Contributions 101.343201.741800.0

(To appropriate donations received from United Way (\$11.32) and from ProAssurance Corporation's "Jean Day" (\$235.00) for the Capital Area Response Effort (CARE) program to assist victims of domestic violence.)

By Councilmember Wood

Motion Carried

RESOLUTION#295

BY THE COMMITTEE ON WAYS & MEANS
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

That the following FY 2008 transfer be approved:

State/Federal Programs

AMOUNT TO TRANSFER	TRANSFER FROM ACCOUNT #	TRANSFER TO ACCOUNT #
\$ 25,676.58	Estimated State Revenue 273.0573010.14317	

\$ 25,676.58		State/Fed Project PA302 - Training 273.343212.747000.14317
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(To provide for Lansing Police Department police officer training under the auspices of state Public Act 302 [as amended]. This is a distribution of the first calendar 2007 semi-annual payment from the state).

By Councilmember Wood

Motion Carried

RESOLUTION#296

BY THE COMMITTEE ON WAYS & MEANS
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

That the following FY 2008 transfers be approved:

State/Federal Programs

AMOUNT TO TRANSFER	TRANSFER FROM ACCOUNT #	TRANSFER TO ACCOUNT #
\$6,444.02	JAG Miscellaneous Operating 273.343251.741000.17659	
\$6,444.02		JAG Equipment < \$5,000 273.343251.977101.17659

(To transfer funds within the FY06 federal Justice Assistance Grant (JAG) to allow Ingham County to purchase computer equipment. The Lansing Police Department is the fiduciary agent for the shared city-county grant. The funds originally were posted to the Miscellaneous account before final grant amounts for equipment were determined. Correcting transfer.)

By Councilmember Wood

Motion Carried

REPORTS FROM COUNCIL COMMITTEES

There were no Committee Reports

ORDINANCES FOR INTRODUCTION

INTRODUCTION OF ORDINANCE

AMEND CHAPTER 8, SECTIONS 890.01, 890.02 AND 890.03

By Councilmember Wood, Chair of the Committee on Ways and Means

That:

An Ordinance of the City of Lansing to amend Chapter 8, Sections 890.01, 890.02 and 890.03 of the Lansing Codified Ordinances by bringing them into conformity with MCL 211.7u and to provide guidelines for property exemption eligibility for principle residences was introduced by Councilmember Wood, read a first and second time by its title and referred to the Committee on Ways and Means

RESOLUTION#297

RESOLUTION SETTING PUBLIC HEARING
By Councilmember Wood

RESOLVED BY THE CITY COUNCIL, CITY OF LANSING, that a public hearing be set for Monday, August 13, 2007 at 7:00 P.M. in the City Council Chambers, 10th Floor Lansing City Hall, 124 W. Michigan Ave., Lansing, MI for the purpose of considering an Ordinance of the City of Lansing, MI to Amend Chapter 8, Sections 890.01, 890.02 and 890.03 of the Lansing Codified Ordinances by bringing them into conformity with MCL 211.7u and to provide

guidelines for property exemption eligibility for principle residences

Interested Persons are invited to attend this Public Hearing

By Councilmember Wood

Motion Carried

ORDINANCES FOR PASSAGE

There were no Ordinances for Passage

REPORTS FROM CITY OFFICERS, BOARDS, AND COMMISSIONS; COMMUNICATIONS AND PETITIONS; AND OTHER CITY RELATED MATTERS

By Councilmember Jeffries that all items be considered as being read in full and that President Leeman make the appropriate referrals

Motion Carried

• Reports from City Officers Board and Commissions:

- a. Letter from the City Clerk submitting minutes of Boards and Authorities placed on file in the City Clerk's Office

RECEIVED AND PLACED ON FILE

- b. Letters from the Mayor re:

- i. Transfer of Funds; Justice Assistance Grant (JAG)

RECEIVED AND PLACED ON FILE

- ii. Proposed Ordinance to designate member of the Employee's Retirement System Board

REFERRED TO THE COMMITTEE ON WAYS AND MEANS AND INTERNAL AUDIT

- iii. Proposed Ordinance to designate member of the Police and Fire Retirement System Board

REFERRED TO THE COMMITTEE ON WAYS AND MEANS AND INTERNAL AUDIT

- iv. Amendment to Executive Management Plan Fringe Benefits

REFERRED TO THE COMMITTEE ON WAYS AND MEANS AND INTERNAL AUDIT

• Communications and Petitions and Other City Related Matters:

- a. Letter from the State of Michigan Department of Labor and Economic Growth requesting revisions to the proposed Amended Plat of Part of Lot 13 Supervisor's Plat of Valleau's Subdivision, Delhi Twp. (now City of Lansing)

REFERRED TO THE PLANNING AND DEVELOPMENT DEPARTMENT AND REFERRED TO THE ECONOMIC DEVELOPMENT CORPORATION AND REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

- b. Notice from the State of Michigan Public Service Commission of a public hearing for the electric customers of Consumers

Energy Company Case U-15245 to be held on July 26, 2007

RECEIVED AND PLACED ON FILE

- c. Letter from Comcast Cable providing notice of additional High Definition channels

RECEIVED AND PLACED ON FILE

- d. Application for Community Funding filed by Black Child and Family Institute and Genesee Neighborhood Association for their Community Cares Block Party to be held August 11, 2007

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

REMARKS BY COUNCILMEMBERS

Councilmember Dunbar clarified a comment made by a speaker regarding an employee being on vacation resulting in services not being completed because of it. She said that the Superintendent of Operations and Maintenance was deployed to Iraq and his duties are being handled by other supervisors in the department. She gave additional information about the use of the ridged containers. She addressed issues regarding Lyons Park.

Councilmember Wood thanked Councilmember Dunbar for looking into concerns at Lyons Park.

Councilmember Matt addressed some e-mails that were sent to the City Council regarding the rebroadcasts of last week's Council meeting. He asked President Leeman if the TV staff could look into the issue and to make sure that the rebroadcasts are of the best possible quality for the citizens.

Councilmember Quinney wished his wife a very Happy Birthday.

President Leeman stated that the Committee of the Whole will be meeting on Thursday at 1:30 p.m. to continue the discussion of the Housing Ordinance.

REMARKS BY THE MAYOR OR EXECUTIVE ASSISTANT

Jerry Ambrose, Executive Assistant to the Mayor, addressed comments made by speakers regarding the increase in their property tax bills. He said that property taxes have not been raised. The increase is because the County has shifted their tax rolls from appearing on the December tax bill to the July tax bill. He said that when December's bill comes around taxes will be lower than last years were.

ADJOURNED TIME 10:00 P.M.

CHRIS SWOPE, CITY CLERK



**OFFICIAL PROCEEDINGS OF
THE CITY COUNCIL
CITY OF LANSING
PROCEEDINGS OF JULY 23, 2007**

City Council Chambers
Lansing, Michigan

The City Council of the City of Lansing met in regular session and was called to order at 7:00 p.m. by President Leeman.

PRESENT: Councilmembers Allen, Jeffries, Kaltenbach, Leeman, Matt, Quinney, Wood

ABSENT: Councilmember Dunbar (*arrived at 7:04*)

The Council observed a moment of Meditation followed by the Pledge of Allegiance led by President Leeman

APPROVAL OF MINUTES

By Councilmember Jeffries

To approve the printed Council Proceedings of July 16, 2007

Motion carried

Councilmember Dunbar arrived at 7:04

CONSIDERATION OF LATE ITEMS

By Vice President Jeffries

To suspend City Council Rule #11 to allow for Consideration of Late Items

Motion carried

The following items were added to the agenda:

1. From Councilmember Wood; Claim Settlement; Workers Compensation Claim #WC04001451001
2. From Councilmember Jeffries; Letter from Debra Alexander of Capital Area Transportation Authority (CATA) regarding Brownfield Redevelopment Plan #32

TABLED ITEMS

1. Requiring the owners of property located at 3325 Felt St. to Make Safe or Demolish their property within sixty days of July 16, 2007

SPECIAL CEREMONIES

- Special Ceremonies

1. Proclamation; Declaring July 30 through August 4, 2007 as Ingham County Fair Days in Lansing

Jerry Ambrose, Executive Assistant to the Mayor, presented a proclamation from Mayor Bernero to the Ingham County Fair Board. He said these folks have worked hard for many years to plan a big event for everyone to enjoy.

President Leeman thanked everyone for all that they do to make the Ingham County Fair a success.

Roberta Hamlin, Treasurer of the Fair Board, thanked the Mayor and City Council for this honor. She gave some information on the events that will be taking place at the fair.

Guillermo Lopez gave additional information regarding some of the events taking place at the fair.

COUNCILMEMBERS' COMMENTS AND CITY CLERK'S ANNOUNCEMENTS:

Councilmember Allen announced the Ingham County Triad Senior Prom for senior citizens that will take place on Friday, August 10, 2007 from 5:30 p.m. to 9:00 p.m. at the East Lansing Hannah Community Center; tickets are \$10.00 per person.

Councilmember Dunbar announced that the Southside Community Showcase will be August 25, 2007 from 12:00 noon to 6:00 p.m.; call Lindsey at 374-5700 for more information.

Councilmember Quinney announced that the African American Parade and Festival is Saturday, August 4, 2007; anyone interested in participating can call 484-2180.

Councilmember Wood announced that the Telecommunications and Cable Advisory Board meeting that was scheduled for Wednesday has been canceled. The Westside Neighborhood Association will be having their picnic on July 28, 2007 from 12:00 noon to 2:00 p.m. at S. Joe Park; call Vicki at 485-1654 for more information. On August 11, 2007 Community Cares will hold their annual event as part of their Neighborhood Night Out from 2:00 p.m. to 8:00 p.m. On Tuesday the Southside Community Coalition will have a dedication for a mural that was painted by some very talented young people at 10:00 a.m. On Saturday, Foster Your Neighborhood is having their 3rd Annual picnic at the Foster Community Center at 7:00 p.m.

Councilmember Matt announced that on July 26, 2007 at 6:00 p.m. the Arbor Point Neighborhood Association will be meeting at the South Precinct. On July 26, 2007 at 7:00 p.m. the Averill Neighborhood Association will be meeting at Averill School.

Vice President Jeffries congratulated his wife Ellen for a job well done by placing 5th in the Ele's Place race event that took place over the weekend.

City Clerk Swope stated that the City Council Agenda and Minutes are available by email or online on the City Clerk's Website, clerk.cityoflansingmi.com; the entire council packet is now available for review on the website as well. He stated that we are just over 2 weeks away from the August Primary Election. He said absentee ballots and their applications are available in the Clerk's Office or by printing off an application online; all ballots are required to be in the Clerk's Office by 8:00 p.m. on Election Day in order to be counted. He said the public test of the equipment will take place on Friday, July 27, 2007 at 2:00 p.m. at the Oakland Center and the public is invited to attend. He spoke about the ruling that came down last week by the Michigan Supreme Court regarding showing picture ID in order to vote and that he does not know if that will take effect before for the

August Primary.

President Leeman thanked the REO Town Commercial Association for a job well done with their Motorcycle Festival event that took place this past weekend.

SPEAKER REGISTRATION FOR PUBLIC COMMENT

(Clerk Swope announced that the public comment registration form(s) for those intending to address Council on legislative or City government matters will be collected and that only those persons who have fully completed the form(s) will be permitted to speak.)

MAYOR'S COMMENTS

Mayor Bernero spoke about the upcoming Ingham County Fair. He spoke about a neighborhood block party in the Churchill Downs Neighborhood that got out of control. He apologized to the Churchill Downs Neighborhood for the City's failure to have a better handle on it. He spoke about changes to the process for future block party requests. He said there will be a town hall meeting at Wainwright School on Tuesday at 7:00 p.m. to discuss concerns related to the event. He spoke about the permanent traffic diverters that are being placed in the Genesee Neighborhood. He spoke about the graduation ceremony for the new Lansing Firefighters. He spoke about a group of refugees that came to Lansing. He spoke about the grand opening of a mural that was painted on the building of Preuss Animal House. He spoke about the recent report where CATA was rated the best in the nation for small transportation. He spoke about welcoming the new director of the Board of Water and Light. He spoke about the Brownfield project that is on the agenda tonight. He spoke about the Blues on the Square event that will take place on Thursday evening.

SHOW CAUSE HEARINGS

- Comment on Scheduled Show Cause Hearings:

There were no Show Cause Hearings

PUBLIC COMMENT ON LEGISLATIVE MATTERS

- Public Comment on Legislative Matters:

Legislative Matters included the following public hearings:

1. In consideration of Brownfield Redevelopment Plan #32; filed by C&M Walker LLC for the former Melody Farms property located at 2218 W. Willow St.

Vice President Jeffries gave a brief overview of this public hearing.

Brian Anderson of Economic Development Corporation gave additional information about this public hearing.

Don Walker of 2808 Kellybrook Ln. spoke in support of the Brownfield project.

John Pollard of 1718 Blair St. spoke about concerns that he has with the Brownfield project.

Charlene Decker of 2711 Pleasant Grove Rd. spoke about concerns that she has with the Brownfield project.

Willy Williams of P O Box 11042 spoke about the process for tagging homes. He spoke about Brownfield projects in general.

THE FOLLOWING SUSPENSION ITEM WAS ADDED TO THE

RECORD OF THE PUBLIC HEARING:

* Letter from Debra Alexander of Capital Area Transportation Authority (CATA) regarding Brownfield Redevelopment Plan #32

REFERRAL OF PUBLIC HEARINGS

1. In consideration of Brownfield Redevelopment Plan #32; filed by C&M Walker LLC for the former Melody Farms property located at 2218 W. Willow St.

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

PUBLIC COMMENT ON CITY GOVERNMENT RELATED MATTERS:

Stan Shuck of 818 Cooper Ave. spoke about various city matters.

Dale Abronowitz of 1811 Sunset Ave. spoke about various city matters.

Bob Gray of 422 Dadson Dr. spoke about various city matters.

William Hubbell of 3916 Wedgewood Dr. spoke about various city matters.

Frank S. Curtis X of 1137 West Allegan St. spoke about various city matters.

Gary Bodiford of 1120 N. Jenison Ave. spoke about various city matters.

Manuela Kress of 1712 E. Michigan Ave spoke about the Lansing Police Department and the Women's Center.

John Pollard of 1718 Blair St. spoke about various city matters.

Del Maynard of 2017 Culver Ave. spoke about various city matters.

Timothy Elmoore of 1246 Edgewood Blvd. spoke about various city matters.

Charlene Decker of 2711 Pleasant Grove Rd. spoke about various city matters.

Don Dean of 1321 E. North St spoke about sidewalks in need of repair in the City. He also spoke about racism.

Willy Williams of P O Box 11042 spoke about various issues in the City.

LEGISLATIVE MATTERS

RESOLUTIONS

RESOLUTION#298

BY THE COUNCILMEMBER SANDY ALLEN
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Lansing Code Compliance Officer has declared a certain structure (dwelling) at 310 Haag Ct. Parcel # 3301.01.15.152.061 and Legal Description: N 34 Ft of W ½ Lot 7 & N 34 Ft of E 59.5 Ft Lot 8 Block 5 Jeromes Add to be an unsafe and dangerous building and requested the property owner be ordered to demolish or otherwise make safe the structure; and

WHEREAS, The Code Compliance Officer red tagged the said structure on **October 26, 2005**, and requested the property owner be ordered to demolish or otherwise make safe the structure; and

WHEREAS, on **May 24, 2007**, the Lansing Demolition Board held a special meeting to consider and make a recommendation on whether to declare the structure a dangerous building, as defined in the Housing Law of Michigan (MCLA 125.539) and the Lansing Housing and Premises Code (1460.09) to order the property owner to make safe or demolish the structure; and

WHEREAS, the Code Compliance Office has determined that compliance with the order of the Lansing Demolition Hearing Board officer has not occurred; and

WHEREAS, the Housing Law of Michigan and the Housing and Premises Code require that a hearing be conducted to give the property owner an opportunity to show cause why a dangerous structure should not be demolished or otherwise made safe; and

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council hereby schedules a show cause hearing for **Monday, July 30, 2007, at 7:00 p.m.** in the Lansing City Council Chambers, 10th Floor City Hall, 124 W. Michigan, Lansing, Michigan in consideration of the finding and order of the Lansing Demolition Hearing Board Officer regarding the structure at **310 Haag Ct**; to give the owner, or the owner's agent, the opportunity to appear and show cause why the building should not be demolished or otherwise made safe; and to approve, disapprove, or modify the order of the hearing officer to demolish or make safe the subject structure.

BE IT FINALLY RESOLVED that the Lansing City Council requests that the Manager of Code Compliance notify the owner of said property of the opportunity to appear and present testimony at the hearing, as required by law.

By Councilmember Allen

Motion Carried

RESOLUTION#299

BY THE COUNCILMEMBER SANDY ALLEN
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Lansing Code Compliance Officer has declared a certain structure (dwelling) at **200 Huron St. Parcel # 3301.01.17.330.181 and Legal Description: Lot 6 Exc W 33 Ft Block 3 Kempfs Add** to be an unsafe and dangerous building and requested the property owner be ordered to demolish or otherwise make safe the structure; and

WHEREAS, The Code Compliance Officer red tagged the said structure on **September 28, 2005**, and requested the property owner be ordered to demolish or otherwise make safe the structure; and

WHEREAS, on **May 24, 2007**, the Lansing Demolition Board held a special meeting to consider and make a recommendation on whether to declare the structure a dangerous building, as defined in the Housing Law of Michigan (MCLA 125.539) and the Lansing Housing and Premises Code (1460.09) to order the property owner to make safe or demolish the structure; and

WHEREAS, the Code Compliance Office has determined that compliance with the order of the Lansing Demolition Hearing Board officer has not occurred; and

WHEREAS, the Housing Law of Michigan and the Housing and Premises Code require that a hearing be conducted to give the property owner an opportunity to show cause why a dangerous structure should not be demolished or otherwise made safe; and

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council hereby schedules a show cause hearing for **Monday, July 30, 2007, at 7:00 p.m.** in the Lansing City Council Chambers, 10th Floor City Hall, 124 W. Michigan, Lansing, Michigan in consideration of the finding and order of the Lansing Demolition Hearing Board Officer regarding the structure at **200 Huron St**; to give the owner, or the owner's agent, the opportunity to appear and show cause why the building should not be demolished or otherwise made safe; and to approve, disapprove, or modify the order of the hearing officer to demolish or make safe the subject structure.

BE IT FINALLY RESOLVED that the Lansing City Council requests that the Manager of Code Compliance notify the owner of said property of the opportunity to appear and present testimony at the hearing, as required by law.

By Councilmember Allen

Motion Carried

RESOLUTION#300

BY THE COMMITTEE ON PUBLIC SAFETY
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the City of Lansing recognizes the jurisdictional restrictions of a police officer's authority can impeded the ability of police officers from aiding a resident in immediate need of help while doing business outside the officer's jurisdiction; and

WHEREAS, the City of Lansing recognizes, when a resident is in apparent danger and law enforcement action by an officer outside his or her jurisdiction is present, the imminent need of the resident outweighs the jurisdictional restrictions facing the officer; and

WHEREAS, the City of Lansing recognizes certain law enforcement emergencies occur requiring the immediate response of assistance from neighboring law enforcement agencies without the benefit of on site command approval; and

WHEREAS, the City of Lansing recognizes the mutual advantage and benefit of supplemental police protection rendered by other law enforcement agencies in the event of an emergent need, or a special police need of a magnitude that has developed, appears to be developing, or is anticipated, where the special police need is beyond the capabilities of a single police department and therefore requires the assistance of one or more other agencies; and

WHEREAS, the City of Lansing recognizes the need to participate in the Ingham County Mutual Police Assistance Agreement with the partnering law enforcement agencies of Ingham County for the purpose of enhancing law enforcement efforts and the safety of the public; and

NOW, THEREFORE, BE IT RESOLVED that the City of Lansing agrees to participate in the Ingham County Mutual Police Assistance Agreement; and

BE IT FURTHER RESOLVED that the Mayor and the Chief of Police are authorized to take additional measures to execute and enforce the Ingham County Mutual Police Assistance Agreement; and

BE IT FINALLY RESOLVED that the City Clerk shall provide a certified copy of the Resolution to each of the other parties to this Agreement.

By Councilmember Allen

Motion Carried

RESOLUTION#301

BY THE COMMITTEE ON WAYS AND MEANS

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the City of Lansing is named as defendant in a workers' compensation action, WC04001451001, involving alleged work related injuries/illnesses;

WHEREAS, it is proposed that the action be resolved by virtue of entering into a settlement agreement, in which, the City of Lansing would agree to pay Plaintiff the sum of Fifty Thousand Dollars (\$50,000) in exchange for a complete redemption and release of the City from any past, present, and future liability regarding any alleged injuries/illnesses whatsoever;

WHEREAS, the proposed settlement is recommended by the Human Resources Department, the City of Lansing's Fund Administrator, and the City Attorney;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, approve the payment of Fifty Thousand Dollars (\$50,000) pursuant to said proposed settlement agreement as a full and final settlement of said action.

BE IT FINALLY RESOLVED that the Law Department is authorized to prepare and execute the requisite documents to complete a settlement of the aforementioned lawsuit.

By Councilmember Wood

Motion Carried

REPORTS FROM COUNCIL COMMITTEES

There were no Committee Reports

ORDINANCES FOR INTRODUCTION

There were no Ordinances for Introduction

ORDINANCES FOR PASSAGE

There were no Ordinances for Passage

**REPORTS FROM CITY OFFICERS, BOARDS, AND COMMISSIONS;
COMMUNICATIONS AND PETITIONS;
AND OTHER CITY RELATED MATTERS**

By Councilmember Jeffries that all items be considered as being read in full and that President Leeman make the appropriate referrals

Motion Carried

- Reports from City Officers, Board and Commissions:

- a. Letter from the City Clerk submitting minutes of Boards and Authorities placed on file in the City Clerk's Office

RECEIVED AND PLACED ON FILE

- b. Letters from the Mayor re:

- i. Z-2-2007; 6040 S. Martin Luther King Jr. Blvd., Planning Board recommendations regarding a request filed by Besco Water Treatment, Inc. to allow for rezoning from "A" Residential to "F"

Commercial

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

- ii. Z-3-2007; Vacant Lot east of 401 Fenton St., Planning Board Recommendations regarding a request filed by Frazier Builders to allow for rezoning from "F" Commercial to "A" Residential

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

- iii. Transfer of Funds; Infrastructure Fund, Mt. Hope Cemetery Fencing Project and Lower Basin Project

REFERRED TO THE COMMITTEE ON WAYS AND MEANS AND INTERNAL AUDIT

- iv. Public Improvement III; Sidewalk Repair for an area bounded by Oakland Avenue, North Washington Avenue, Willow St., North Grand River Ave. and Seymour Ave. and also the south side of Ionia St. from N. Martin Luther King Jr. Blvd. to Pine St., excepting all public streets and alleys and other lands deemed not benefited and request for a Public Hearing

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES

- v. Sale of Surplus City Property; Hockey Boards from the Outdoor Rink at Washington Park

REFERRED TO THE COMMITTEE ON WAYS AND MEANS AND INTERNAL AUDIT

- Communications and Petitions, and Other City Related Matters:

- a. Letter from Michigan Department of Labor & Economic Growth Liquor Control Commission providing a 15-Day Notice of an application filed by Save-On of Lansing, LLC to Transfer Ownership of a 2007 SDD and SDM licensed business located at 736 W. Willow St. from Love America, Inc.

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

- b. Reminder Invoice from the National League of Cities for membership dues for the period August 1, 2007 – July 31, 2008

REFERRED TO THE MAYOR

- c. Letter from Mattie Blair of P.O. Box 17054 regarding a Nuisance Notice assessment for property located at 1028 McCullough St.

REFERRED TO THE COMMITTEE ON GENERAL SERVICES AND REFERRED TO THE CITY ATTORNEY

REMARKS BY COUNCILMEMBERS

Councilmember Kaltenbach stated that he is glad to see that the city is working on the sidewalks and that some streets are in need of repair as well.

Councilmember Wood addressed comments that were made by a speaker about Community Policing.

Councilmember Matt asked the administration to see if some employees of the Public Service Department could help remove the large items that are in the river while the water is down.

City Clerk Swope reminded voters of the August 7, 2007 City Primary Election.

**REMARKS BY THE MAYOR
OR EXECUTIVE ASSISTANT**

Jerry Ambrose, Executive Assistant to the Mayor, stated that discussions regarding the cleaning of the river have already taken place. He addressed comments made about the homeowner on Center St. He spoke about the Noise Waiver process.

ADJOURNED TIME 8:45 P.M.

CHRIS SWOPE, CITY CLERK



**OFFICIAL PROCEEDINGS OF
THE CITY COUNCIL
CITY OF LANSING
PROCEEDINGS OF AUGUST 6, 2007**

City Council Chambers
Lansing, Michigan

The City Council of the City of Lansing met in regular session and was called to order at 7:00 p.m. by President Leeman.

PRESENT: Councilmembers Dunbar, Jeffries, Kaltenbach, Leeman, Matt, Quinney, Wood

ABSENT: Councilmember Allen

Councilmember Quinney asked that we keep the family of Cyril McGuire in our thoughts and prayers during our moment of meditation; Cyril passed away this past weekend.

President Leeman asked that we also keep the family of Councilmember Wood in our minds this evening.

The Council observed a moment of Meditation followed by the Pledge of Allegiance led by President Leeman

Councilmember Wood thanked the community for their support and prayers during this difficult time. She also thanked the Lansing Police and Fire Departments for their work and support during this time. She also thanked all of the Councilmembers and their families for their support.

CONSIDERATION OF LATE ITEMS

By Vice President Jeffries

To suspend City Council Rule #11 to allow for Consideration of Late Items

Motion carried

The following items were added to the agenda:

1. From Councilmember Jeffries; Presentation; Draw Down, Clean Up
2. From Councilmember Kaltenbach; Email messenger from Carol Skillings, no address given, regarding the Show Cause Hearing for 200 Huron St.

TABLED ITEMS

1. Requiring the owners of property located at 3325 Felt St. to Make Safe or Demolish their property within sixty days of July 16, 2007

SPECIAL CEREMONIES

- Special Ceremonies

1. Presentation; Capital Region Community Foundation Grant for the Black Child and Family Institute, Baker/Donora Focus Center, and Larry Mitchell Trice Outreach Center

Mayor Bernero presented a check to the organizations that do so much for Lansing's communities; the Mayor stated he appreciates all the work that they do.

President Leeman thanked the organizations for their continued support in the communities.

Brad Patterson of the Capital Region Community Foundation thanked the City for allowing him to present this check to these groups. He said these are important programs for the communities.

Rory McNeal thanked everyone for the support. He invited everyone to attend the Community Cares celebration on August 8, 2007 from 2:00 p.m. to 11:00 p.m.

Martha Bibbs thanked the City Council and the Mayor for their support.

2. Presentation; Black Child and Family Institute Choir

Revonne Hollins stated that she is the music teacher at Black Child and Family Institute who brought students ranging from 3rd grade to 6th grade and hopes everyone will enjoy the performance.

Mayor Bernero thanked the choir for coming down and stated that this is just one of the great programs that are being offered to the communities.

3. Tribute; National Night Out

City Clerk Swope read the following Resolution:

RESOLUTION#302

BY COUNCILMEMBER CAROL WOOD
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the National Association of Town Watch (NATW) sponsors a unique, nationwide crime, drug, and violence prevention program, entitled "National Night Out," dedicated to the development, growth, and maintenance of organized crime and drug prevention programs nationwide; and

WHEREAS, the 24th Annual "National Night Out" provides an opportunity for the City of Lansing to join forces with thousands of other communities across the nation to promote cooperative, police-community crime prevention efforts; and

WHEREAS, the City of Lansing is honored by the commitment of the Lansing Neighborhood Watch Program and the vital role they play in assisting the Lansing Police Department through joint crime, drug, and violence prevention efforts; and

WHEREAS, citizens have time and time again demonstrated their devotion to bring about peace and harmony in their neighborhoods for a better quality of life; and

WHEREAS, police-community partnerships, neighborhood safety, awareness, and cooperation are important themes of the "National Night Out" program; and

WHEREAS, it is essential that all citizens in Lansing be aware of the importance of crime prevention programs and the impact that citizen participation can have on reducing crime, drugs, and violence in

Lansing; thereby, the Lansing Neighborhood Watch Program advocates participation in the National Night Out; and

WHEREAS, the citizens of Lansing can show their support of the "National Night Out" by the traditional "lights on" front porch vigil, sitting on the porch or in the front yard, or/and by participating in the festivities of the neighborhood;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, declares Tuesday, August 7, 2007, as "National Night Out" between 6 p.m. and 8 p.m. and encourages citizens to participate in this wonderful opportunity to promote police-community partnerships, crime prevention, and neighborhood camaraderie;

BE IT FURTHER RESOLVED that the Lansing City Council joins our neighborhoods in these efforts and extends a warm welcome to all residents celebrating safety and crime prevention successes and sharing in a spirit, energy, and determination that is helping to make many neighborhoods safe places throughout the year.

By Councilmember Wood

Motion Carried

Councilmember Wood presented the tribute. She said this event was designed so that neighborhoods could come out and meet and talk about safety. She said that whether you participate in the night out event or not to please turn on your porch light. She said Lansing is a different City now and with the help of the neighbors it will be an even better place to live.

Patty Farhat of the Board of Police Commissioners thanked Council for this honor and introduced McGruff the Crimefighter Dog. She said Tuesday is a very important night for all neighborhoods.

4. Presentation; Draw Down, Clean Up

Yvonne LeFave gave a brief overview of the Draw Down Clean Up for the Grand River. She said that herself, Dave Chapman, and Julann Vittone are happy that the Board of Water and Light decided to drain the water to look at the dam because this gives us a perfect opportunity to clean the river. She said they are looking for volunteers and that the clean up will take place on August 18, 2007 from 10:00 a.m. to 4:00 p.m.

COUNCILMEMBERS' COMMENTS AND CITY CLERK'S ANNOUNCEMENTS:

Councilmember Quinney announced that the Lewton/Rich Neighborhood Association will be having their annual picnic from 5:30 p.m. to 9:30 p.m. on August 16, 2007 at Francis Park.

Councilmember Dunbar announced that the Hannah Community Center will be hosting a Senior Prom on Friday, August 10, 2007 from 5:30 p.m. to 9:00 p.m. Tickets are \$10.00 and anyone needing more information can call 327-0593. The Southside Community Showcase will be August 25, 2007 at Benjamin Davis Park from 12:00 noon to 6:00 p.m. and anyone needing more information can call 374-5700.

Councilmember Wood announced that the Black Child and Family Institute will be hosting a Community Cares event on Saturday from 2:00 p.m. to 8:00 p.m.

Councilmember Matt announced activities from 6:00 p.m. to 8:00 p.m. at various neighborhood associations for National Night Out. He said Colonial Village is having their picnic at Elmhurst Elementary School and Woodmere Neighborhood is having their picnic on Starlight Lane. He also announced that the Great Lakes Folk Festival will be taking place this weekend in East Lansing.

Councilmember Dunbar gave information about the ballot proposal to authorize the sale of the South Grand Parking Ramp that is on the ballot tomorrow.

President Leeman announced that the Car Capital Celebration will take place August 11, 2007 from 9:00 a.m. to 12:00 midnight.

City Clerk Swope stated that tomorrow is Election Day and the polls are open from 7:00 a.m. to 8:00 p.m. He said that the ID requirement is not in effect for this election. He said anyone who is not sure where to vote can visit the Clerk's website to find out or can call the Clerk's office at 483-4133. He spoke about items on the ballot. He spoke about the commentary show that will be aired live on City TV beginning at 8:00 p.m. He spoke about past election turnout results.

SPEAKER REGISTRATION FOR PUBLIC COMMENT

(Clerk Swope announced that the public comment registration form(s) for those intending to address Council on legislative or City government matters will be collected and that only those persons who have fully completed the form(s) will be permitted to speak.)

MAYOR'S COMMENTS

Mayor Bernero sent his personal condolences to Councilmember Wood and her family for the loss of their mother, Ruth Hallman and stated that the city will not stop until it finds the person who committed this crime. He spoke about the town hall meeting that took place on Sunday. He spoke about the National Night Out event that is scheduled for Tuesday evening. He spoke about the ballot proposal to authorize the sale of the South Grand Parking Ramp. He spoke about events that took place over the weekend. He thanked all the folks involved in making all the events a success. He spoke about the last night of the Blues on the Square concert for Thursday. He thanked everyone for the success of this event. He thanked the Draw Down Clean Up group for their efforts in helping to clean up the river.

SHOW CAUSE HEARINGS

- Comment on Scheduled Show Cause Hearings:

There were no Show Cause Hearings

PUBLIC COMMENT ON LEGISLATIVE MATTERS

- Public Comment on Legislative Matters:

Legislative Matters included the following public hearings:

1. In consideration of a Request for Waiver of the Provisions of the Noise Ordinance contained in Chapter 654 of the Code of Ordinances for Six-S, Inc. to work on Saturdays from 8:00 AM to 5:00 PM for construction activities in the CSO 013 Northwest Project Area

Councilmember Kaltenbach gave a brief overview of the Public Hearing.

Alec Malvetis of the Public Service Department gave additional information on the noise wavier.

William Hubbell of 3916 Wedgewood Dr. spoke about concerns that he has with the Noise Wavier. He also spoke about traffic concerns that could occur if the pavement markings go in on Pleasant Grove Road.

John Pollard of 1718 Blair St. spoke about concerns that he has with

the Noise Waiver. He also spoke in opposition to the Brownfield request.

Christine Timmon of 2519 Washington Ave. spoke in support of the JAG grant request.

Darnell E. Oldham Sr of 3815 Berwick Dr spoke in opposition to the Noise Waiver. He questioned if notices were sent out to the residents.

City Clerk Swope indicated his office had received three anonymous letters in opposition to the noise waiver that will be part of the Public Hearing record

REFERRAL OF PUBLIC HEARINGS

1. In consideration of a Request for Waiver of the Provisions of the Noise Ordinance contained in Chapter 654 of the Code of Ordinances for Six-S, Inc. to work on Saturdays from 8:00 AM to 5:00 PM for construction activities in the CSO 013 Northwest Project Area

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

PUBLIC COMMENT ON CITY GOVERNMENT RELATED MATTERS:

Dale Abronowitz of 1811 Sunset Ave. spoke about various city government matters.

Michael Morofsky of 1300 Woodbine Ave. spoke about concerns with the Lansing Police Department.

Jon Miles of 1128 Woodbine Ave. spoke about concerns with the Lansing Police Department.

Virginia Humble of 604 E. Fredrick Ave. spoke about problems that she is having with a business near her home.

Gary Bodiford of 1120 N. Jenison Ave. spoke about governmental matters.

Bob Gray of 422 Dadson Dr. spoke about various city matters.

Willy Williams of P O Box 11042 spoke about various city matters.

William Hubbell of 3916 Wedgewood Dr. spoke about the August 7 primary election.

Christine Timmon of 2519 Washington spoke about the August 7 primary election.

Frank S. Curtis X of 1137 West Allegan spoke about various city matters.

Ammahad-Shekarakki of 902 Willow St. spoke about the need for the city to honor Malcolm X.

Dru Vinson of 606 S. Fairview Ave. spoke about the City's high foreclosure rate.

John Pollard of 1718 Blair 1718 Blair St. spoke about various city matters.

Darnell E. Oldham Sr of 3815 Berwick Dr spoke about various city matters.

Don Dean of 1321 E. North St. spoke about various city matters.

Ronald Kruger of 3333 Moores River Dr spoke about various city matters.

LEGISLATIVE MATTERS

RESOLUTIONS

RESOLUTION#303

BY THE COUNCILMEMBER SANDY ALLEN
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Lansing Code Compliance Officer has declared a certain structure (dwelling) at **310 Haag Ct. Parcel # 3301.01.15.152.061 and Legal Description: N 34 Ft of W ½ Lot 7 & N 34 Ft of E 59.5 Ft Lot 8 Block 5 Jeromes Add** to be an unsafe and dangerous building and requested the property owner be ordered to demolish or otherwise make safe the structure; and

WHEREAS, The Code Compliance Officer red tagged the said structure on **October 26, 2005**, and requested the property owner be ordered to demolish or otherwise make safe the structure; and

WHEREAS, on **May 24, 2007**, the Lansing Demolition Board held a special meeting to consider and make a recommendation on whether to declare the structure a dangerous building, as defined in the Housing Law of Michigan (MCLA 125.539) and the Lansing Housing and Premises Code (1460.09) to order the property owner to make safe or demolish the structure; and

WHEREAS, the Code Compliance Office has determined that compliance with the order of the Lansing Demolition Hearing Board officer has not occurred; and

WHEREAS, the Housing Law of Michigan and the Housing and Premises Code require that a hearing be conducted to give the property owner an opportunity to show cause why a dangerous structure should not be demolished or otherwise made safe; and

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council hereby schedules a show cause hearing for **Monday, August 20, 2007, at 7:00 p.m.** in the Lansing City Council Chambers, 10th Floor City Hall, 124 W. Michigan, Lansing, Michigan in consideration of the finding and order of the Lansing Demolition Hearing Board Officer regarding the structure at **310 Haag Ct**; to give the owner, or the owner's agent, the opportunity to appear and show cause why the building should not be demolished or otherwise made safe; and to approve, disapprove, or modify the order of the hearing officer to demolish or make safe the subject structure.

BE IT FINALLY RESOLVED that the Lansing City Council requests that the Manager of Code Compliance notify the owner of said property of the opportunity to appear and present testimony at the hearing, as required by law.

By Councilmember Kaltenbach

Motion Carried

RESOLUTION#304

BY THE COUNCILMEMBER SANDY ALLEN
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Lansing Code Compliance Officer has declared a certain structure (dwelling) at **200 Huron St. Parcel # 3301.01.17.330.181 and Legal Description: Lot 6 Exc W 33 Ft Block 3 Kempf's Add** to be an unsafe and dangerous building and requested the property owner be ordered to demolish or otherwise make safe the structure; and

WHEREAS, The Code Compliance Officer red tagged the said structure on **September 28, 2005**, and requested the property owner be ordered to demolish or otherwise make safe the structure; and

WHEREAS, on **May 24, 2007**, the Lansing Demolition Board held a special meeting to consider and make a recommendation on whether to declare the structure a dangerous building, as defined in the Housing Law of Michigan (MCLA 125.539) and the Lansing Housing and Premises Code (1460.09) to order the property owner to make safe or demolish the structure; and

WHEREAS, the Code Compliance Office has determined that compliance with the order of the Lansing Demolition Hearing Board officer has not occurred; and

WHEREAS, the Housing Law of Michigan and the Housing and Premises Code require that a hearing be conducted to give the property owner an opportunity to show cause why a dangerous structure should not be demolished or otherwise made safe; and

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council hereby schedules a show cause hearing for **Monday, August 20, 2007, at 7:00 p.m.** in the Lansing City Council Chambers, 10th Floor City Hall, 124 W. Michigan, Lansing, Michigan in consideration of the finding and order of the Lansing Demolition Hearing Board Officer regarding the structure at **200 Huron St**; to give the owner, or the owner's agent, the opportunity to appear and show cause why the building should not be demolished or otherwise made safe; and to approve, disapprove, or modify the order of the hearing officer to demolish or make safe the subject structure.

BE IT FINALLY RESOLVED that the Lansing City Council requests that the Manager of Code Compliance notify the owner of said property of the opportunity to appear and present testimony at the hearing, as required by law.

By Councilmember Kaltenbach

Motion Carried

RESOLUTION#305

BY THE COMMITTEE ON PUBLIC SERVICE
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

PUBLIC IMPROVEMENT III

WHEREAS, pursuant to the Public Improvement I/II resolution adopted by this council on February 19, 2007, the City Assessor has completed the assessment roll for sidewalk repair and construction, and furnished the following information:

PROJECT TITLE: 2007 Sidewalk Repair "B"
P.S. #01091

PROPERTY BENEFITED:

An area bounded by Jolly Rd., Crocus Ave., Bluebell Dr., and S. Washington Ave., and An area bounded by Jolly Rd., Ballard Rd., Ingham St., and Fielding Dr., and
An area bounded by Cavanaugh Rd., S. Pennsylvania Ave., Vernon Ave., and Parkway Blvd., Excepting all public streets and alleys and other land deemed not benefited

ENGINEER'S ESTIMATE, COST OF IMPROVEMENTS:

Assessment Roll Number	City Contribution	Assessable to Property Owner
Sidewalk	\$221,872.59	\$85,052.69
Drive Approaches	\$0.00	\$9,469.98
Other Cost	\$51,993.74	\$0.00
Total	\$273,776.33	\$94,522.67

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council will hold a public hearing on Monday, August 20, 2007 at 7:00 PM, in the Council Chambers, to review, prior to confirmation, said assessment roll; and

BE IT FURTHER RESOLVED that the City Clerk and the Public Service Director are hereby requested to give due notice of this public hearing as provided by Chapter 1020, Section 1026.06(c)(1), of the Code of Ordinances by publishing a notice of a public hearing in a daily newspaper of the City, not more than twenty days and not less than ten days before such public hearing. Said notice shall include the time and place of the hearing; a description of the section or area of the City determined by Council to be within the assessment district as contained in the special assessment roll; where the special assessment roll is on file and may be examined; that any person aggrieved by the assessments as contained in the special assessment roll, or the necessity of the improvement, may file a written objection thereto which must be delivered to the City Clerk prior to the close of the hearing, or the person may appear and protest the same at the public hearing in person or by his or her representative; that the appearance and protest or written protest in the manner described is required if the person desires to appeal the amount of the assessment to the Michigan Tax Tribunal; and that any appeal to the Michigan Tax Tribunal must be taken within thirty days of the confirmation of the special assessment roll, provided a protest was timely made.

BE IT FINALLY RESOLVED, that pursuant to the requirement of 1962 PA 162, as amended, MCL 211.741, et seq.; MSA 5.3534(1), et seq., appearance and protest at the hearing in the special assessment proceedings is required in order to appeal the amount of the special assessment to the State Tax Tribunal. An owner or party in interest, or his or her agent may appear in person at the hearing to protest the special assessment, or shall be permitted to file his or her appearance or protest by letter and his or her personal appearance shall not be required.

Funds are available for the City of Lansing's share of the project in accounts as follows:

	<u>Account Number</u>
City Share of Sidewalk	\$ 273,776.33 410 933690 974200 013026
Assessment Roll B-78	\$ 94,522.67 Acct to be established

By Councilmember Dunbar

Motion Carried

RESOLUTION#306

BY THE COMMITTEE ON DEVELOPMENT & PLANNING
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

Resolved by the City Council of the City of Lansing that a public hearing be set for Monday, August 13, 2007, at 7 p.m. in City Council Chambers, Tenth Floor, Lansing City Hall, 124 West Michigan Avenue, Lansing, Michigan, for the purpose of approving and/or opposing the Planned Residential Development:

PRD-1-2007, Planned Residential Development, north end of Westwood Avenue

By Councilmember Jeffries

Motion Carried

RESOLUTION#307

BY THE DEVELOPMENT AND PLANNING COMMITTEE
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Brownfield Redevelopment Authority (the "Authority") of the City of Lansing, pursuant to and in accordance with the provisions of the Brownfield Redevelopment Financing Act, Public Act, Public Act 381 of 1996, as amended, (the "Act") has prepared a Brownfield Plan, submitted to Council and placed on file in the office of City Clerk, LBRA Brownfield Plan #32 C&M Walker LLC- Melody Farms. (the "Plan"); and

WHEREAS, a public hearing was held by the Lansing City Council and at least 20 days before the public hearing the taxing jurisdictions were provided notice to be fully informed about the fiscal and economic implications of the proposed Plan and given a reasonable opportunity to express their views and recommendations regarding the Plan in accordance with Section 13 (10) and 14(1) of the Act; and

WHEREAS, the Lansing City Council, after its public hearing on July 23, 2007, reviewed testimony and evidence regarding the Plan, and found that:

1. the Project Property was historically used for dairy and creamery operations,
2. the Plan provides for the reimbursement of costs attributable to eligible activities to the developer and the Authority,
3. the Project includes, in addition to the eligible activities identified in the Plan, the redevelopment of the property,
4. the Project may result in new private investment of approximately \$669,250,
5. the Plan provides for the capture of property tax increment revenues due to the private investment on the site, and devotes them to repaying the Authority for its costs associated with eligible activities it performs, and to repaying the developer for their costs associated with eligible activities they perform, in accordance with the Plan,

WHEREAS, the Authority Board of Directors, at its meeting of July 23, 2007, unanimously recommended approval of the Plan, for this Project;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, after having duly considered the Plan, finds it is in compliance with the provisions of the Act and further finds:

1. The Plan constitutes a public purpose under the Act;
2. The Plan meets all of the requirements for a "Brownfield Plan" set forth in Section 13 of the Act;
3. The proposed method of financing the costs of the eligible activities, as described in the Plan, is feasible and the Authority has the ability to arrange the financing;
4. The costs of the eligible activities proposed in the Plan are reasonable and necessary to carry out the purposes of the Act; and
5. The amount of the captured taxable value estimated to result from the adoption of the Plan is reasonable.

BE IT FINALLY RESOLVED that the Lansing City Council hereby approves the LBRA "Brownfield Plan #32 C&M Walker LLC – Melody Farms".

By Councilmember Jeffries

Motion Carried

RESOLUTION#308

BY THE COMMITTEE ON DEVELOPMENT AND PLANNING
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

Neighborhood Enterprise Zone #21 – Riverbend-Whitehall

WHEREAS, the City of Lansing supports the efforts to improve and revitalize the downtown area through housing opportunities and the construction of new housing units in the area; and

WHEREAS, the Michigan Neighborhood Enterprise Zone Act, being Public Act 147 of 1992, was enacted to encourage new housing construction and the renovation of existing properties in older established cities of the State, including the City of Lansing, by allowing cities to grant certain tax abatements on specific residential properties located in designated districts; and

WHEREAS, the Mayor's Housing Task Force recognizes that an additional Neighborhood Enterprise Zone in the downtown is a vital resource to further the goals of creating residential opportunities and redevelopment in downtown and promoting new construction and renovation of existing buildings for the purpose of creating unique residential housing units; and

WHEREAS, an additional Neighborhood Enterprise Zone in the downtown area will assist property owners and developers in making much needed improvements, including housing rehabilitation and new construction; and

WHEREAS, P.A. 147 of 1992 requires that the City Assessor and each taxing unit receive notification of the City's intent to establish a Neighborhood Enterprise Zone not less than 60 days prior to the designation action and further requires the City to hold a public hearing on the establishment of a Neighborhood Enterprise Zone not later than 45 days after said notification to the Assessor and the taxing units;

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Lansing approves the boundaries for the new Neighborhood Enterprise Zone as depicted in the diagram filed with the City Clerk and as described below:

Riverbend-Whitehall, No. 21

Boundaries: Main St. to the north, The Grand River to the south, Townsend St. to the West, and east line 33-01-01-21-203-903 of parcel to the East.

BE IT FURTHER RESOLVED that the City Clerk give the required 60 days notice of the intent to establish the zone to the City Assessor and all taxing units in each of the proposed Neighborhood Enterprise Zones of the City.

BE IT FINALLY RESOLVED that a public hearing be held in the City Council Chambers of the City of Lansing, 10th floor, Lansing City Hall, Lansing, Michigan, on August 13, 2007, at 7:00 p.m., and that the City Clerk publish the requisite advanced notice of the hearing in a publication of general circulation in the City.

By Councilmember Jeffries

Motion Carried

RESOLUTION#309

BY THE COMMITTEE ON GENERAL SERVICES
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Black Child and Family Institute and Genesee Neighborhood Association has requested \$500.00 to defray costs associated with the "Community Cares" Block Party to be held on August 11, 2007; and

WHEREAS, the Committee on General Services on July 23, 2007, reviewed the request and voted to approve \$500.00 for "Community Cares" Block Party to be held on August 11, 2007;

NOW, THEREFORE, BE IT RESOLVED, the Lansing City Council, hereby, approves \$500.00 allocation from the Community Promotion Account to the Black Child and Family Institute and Genesee Neighborhood Association to defray costs associated with the "Community Cares" Block Party;

BE IT FURTHER RESOLVED, the Mayor and the Finance Department shall process this request by charging \$500.00 to the Community Promotion Account – 101.112101.741289;

BE IT FINALLY RESOLVED, that the Black Child & Family Institute and Genesee Neighborhood Association shall submit a written analysis of the event, including information regarding the number of attendees, and a detail of their accounting of expenses to the Lansing City Council within 60 days after the event.

By Councilmember Wood

To recuse herself from voting on the Resolution due to a possible Conflict of Interest

Motion Carried with Councilmember Matt dissenting

The question being the motion to place an affirmative role on the resolution

Motion Carried with Councilmember Wood abstaining

RESOLUTION#310

BY THE COMMITTEE ON GENERAL SERVICES
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Robert Riley sought to eliminate the Special Assessment involving Trash and Debris violation and all associated penalties and interest placed on the City of Lansing property tax bill on the property located at 1212 Otto Street in the amount of \$7,337.37; and

WHEREAS, the General Services Committee met on July 23, 2007, and denied the claim on a Trash Assessment in the amount of \$7,337.37;

NOW, THEREFORE, BE IT RESOLVED that the City Council, hereby, denies the claim filed by Robert Riley on the Special Assessment involving Trash and Debris violation and all associated penalties and interest placed on the City of Lansing property tax bill on the property located at 1212 Otto Street in the amount of \$7,337.37;

BE IT FURTHER RESOLVED that the City Attorney shall take the appropriate steps to process this claim.

By Councilmember Kaltenbach

Motion Carried

RESOLUTION#311

BY THE COMMITTEE ON GENERAL SERVICES
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, David L. Page sought to eliminate the Special Assessment involving Trees & Brush violation and all associated penalties and interest placed on the City of Lansing property tax bill on the property located at 515 W. Frederick in the amount of \$1,981.75; and

WHEREAS, the General Services Committee met on July 23, 2007, and approved the claim on a Trees & Brush Assessment in the amount of \$1,981.75;

NOW, THEREFORE, BE IT RESOLVED that the City Council, hereby, approves the claim filed by David L. Page on the Special Assessment involving Trees and Brush violation and all associated penalties and

interest placed on the City of Lansing property tax bill on the property located at 515 W. Frederick in the amount of \$1,981.75;

BE IT FURTHER RESOLVED that the City Attorney shall take the appropriate steps to process this claim.

By Councilmember Kaltenbach

Motion Carried

RESOLUTION#312

BY THE COMMITTEE ON GENERAL SERVICES
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Mohamad Abduljaber sought to eliminate the Special Assessment involving Trash and Debris violation and all associated penalties and interest placed on the City of Lansing property tax bill on the property located at 3235 W. Mt. Hope in the amount of \$3,413.00; and

WHEREAS, the General Services Committee met on July 23, 2007, and denied the claim on a Trash Assessment in the amount of \$3,413.00;

NOW, THEREFORE, BE IT RESOLVED that the City Council, hereby, denies the claim filed by Mohamad Abduljaber on the Special Assessment involving Trash and Debris violation and all associated penalties and interest placed on the City of Lansing property tax bill on the property located at 3235 W. Mt. Hope in the amount of \$3,413.00;

BE IT FURTHER RESOLVED that the City Attorney shall take the appropriate steps to process this claim.

By Councilmember Kaltenbach

Motion Carried

RESOLUTION#313

BY THE COMMITTEE ON GENERAL SERVICES
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Al Buchner sought to eliminate the Special Assessment involving Trash and Debris violation and all associated penalties and interest placed on the City of Lansing property tax bill on the property located at 0 N. Grand River in the amount of \$5,756.50; and

WHEREAS, the General Services Committee met on July 23, 2007, and denied the claim on a Trash Assessment in the amount of \$5,756.50;

NOW, THEREFORE, BE IT RESOLVED that the City Council, hereby, denies the claim filed by Al Buchner on the Special Assessment involving Trash and Debris violation and all associated penalties and interest placed on the City of Lansing property tax bill on the property located at 0 N. Grand River in the amount of \$5,756.50;

BE IT FURTHER RESOLVED that the City Attorney shall take the appropriate steps to process this claim.

By Councilmember Kaltenbach

Motion Carried

RESOLUTION#314

BY THE COMMITTEE ON PUBLIC SAFETY
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Code Compliance Manager has determined that the building located at 1914 Stirling Avenue, Parcel

#3301.01.29.226.101 legally described as: Lot 23 Block 2 Elmhurst Sub is an unsafe or dangerous building as defined in Section 1460.24 of the Lansing Uniform Housing Code and the Housing Law of Michigan and was red tagged on **March 6, 2006**; and

WHEREAS, a hearing was held by the Hearing Officers on **April 26, 2007**, at which the Hearing Officers determined that said building was an unsafe and dangerous building and ordered the building demolished or made safe by **May 24, 2007**; and

WHEREAS, said Hearing Officers filed a report of their findings and order with the City Council and requested the City Council to take appropriate action under the Lansing Housing and Premises Code and the Housing Law of Michigan; and

WHEREAS, the Housing Law of Michigan and Premises Code require a hearing be conducted to give the property owner an opportunity to show cause why a dangerous structure should not be demolished or otherwise made safe; and

WHEREAS, the City Council held a hearing on **July 9, 2007**, to review the findings and the order of the Hearing Officers and the owners were notified in writing of said hearing and had an opportunity to appear and show cause why said building should not be demolished or otherwise made safe; and

WHEREAS, the Code Compliance Office has determined that compliance with the order of the Lansing Demolition Hearing Board Officer has not occurred; and

NOW, THEREFORE, BE IT RESOLVED that the owner(s) of **1914 Stirling Avenue** are hereby directed to comply with the order of the Hearing Officers to demolish or otherwise make safe the said building within **sixty (60) days** from the date of this resolution, **Monday, August 6, 2007**.

BE IT FURTHER RESOLVED that the property owner(s) is hereby notified that this order must be appealed within twenty days pursuant to MCL 125.542 and should the owners fail to comply with the Hearing Officers' order for demolition or make safe, the Manager of Code Compliance is hereby directed to proceed with demolition of said building.

BE IT FURTHER RESOLVED whether demolition is accomplished by said property owner or the City that appropriate seeding and restoration of property take place to avoid run-off to adjacent properties.

BE IT FURTHER RESOLVED that the cost of such demolition shall be a lien against the real property and shall be reported to the City Assessor.

BE IT FINALLY RESOLVED that the owners in whose name the property appears upon the last local tax assessment record shall be notified by the City Assessor of the amount of such cost by first class mail at the address shown on the records. Upon the owners failure to pay the same within thirty (30) days after mailing by the City Assessor of the notice of the amount thereof, the amount of said costs shall be a lien and shall be filed and recovered as provided by law and the lien shall be collected and treated in the same manner as provided for property tax liens under the general property tax act.

By Councilmember Kaltenbach

Motion Carried

RESOLUTION#315

BY THE COMMITTEE ON PUBLIC SAFETY
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Transportation and Parking Office received Congestion Mitigation and Air Quality (CMAQ) funding for evaluating all signalized intersections within the City of Lansing;

WHEREAS, the Transportation and Parking Office staff conducted a study of the roadway conditions along Holmes Road at Pleasant Grove Road;

WHEREAS, based upon the results of the this study, the Transportation and Parking Office recommends reconfiguring Holmes Road in the vicinity of Pleasant Grove Road to one travel lane in each direction with a center turn lane and installing protected-permitted left turn phase for Holmes Road;

WHEREAS, based upon the results of this study, the Traffic Board, due to a lack of quorum, is forwarding a positive, but unofficial, recommendation concurring with the recommendation of the Transportation and Parking Office;

WHEREAS, the draft minutes for the Traffic Board containing the Traffic Board's review of this matter are on file with the City Clerk's office;

WHEREAS, the Mayor concurs with the recommendation of the Transportation and Parking Office;

WHEREAS, the Committee on Public Safety reviewed the report and concurs with the recommendation of the Administration;

NOW, THEREFORE, BE IT RESOLVED, that the Lansing City Council approves Traffic Control Order No. 06-024, thereby authorizing the Transportation Engineer to reconfigure Holmes Road east and west of Pleasant Grove Road and install left turn traffic signals along with appropriate signs and pavement markings at the intersection of Holmes Road and Pleasant Grove Road;

BE IT FINALLY RESOLVED that Traffic Control Order No. 06-024 shall become effective when signed by the Transportation Engineer and filed with the City Clerk and the appropriate signs, pavement markings, and signals are installed.

By Councilmember Kaltenbach

Motion Carried

RESOLUTION#316

BY THE COMMITTEE ON PUBLIC SAFETY
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Transportation and Parking Office received a request from the Lansing School District to investigate traffic characteristics along Pleasant Grove Road near Pleasant View School;

WHEREAS, the Transportation and Parking Office received additional requests from the Public Safety Committee to review the current striping on Pleasant Grove Road south of Victor Avenue resulting from resident comments and observed traffic characteristics;

WHEREAS, the Transportation and Parking Office staff conducted a study of the roadway conditions and operations along Pleasant Grove Road in the summer of 2004;

WHEREAS, the Transportation and Parking Office staff recommended additional pavement markings to further inform motorists of the correct travel patterns;

WHEREAS, a segment of Pleasant Grove Road from Mount Hope Avenue to Victor Avenue was marked with additional pavement markings to identify the parking lane and travel lane;

WHEREAS, additional signs and markings were installed to provide a bike lane along Pleasant Grove Road;

WHEREAS, based on opposition to the bike lane from residents within the Colonial Village Area, the bike lane signs were removed and additional pavement markings were not installed south of Victor Avenue;

WHEREAS, based upon the request from the Lansing School District and Public Safety Committee and observed traffic characteristics within the segment of roadway between Mount Hope Avenue and Victor Avenue, the Transportation and Parking Office recommends reconfiguring Pleasant Grove Road with a solid white edge line delineating the travel lane and an additional solid white edge line offset five feet from the traveled edge to identify the existing parking;

WHEREAS, based upon the results of this study, the Traffic Board, due to a lack of quorum, is forwarding a positive, but unofficial, recommendation concurring with the recommendation of the Transportation and Parking Office;

WHEREAS, the draft minutes for the Traffic Board containing the Traffic Board's review of this matter are on file with the City Clerk's office;

WHEREAS, the Mayor concurs with the recommendation of the Transportation and Parking Office;

WHEREAS, the Committee on Public Safety reviewed the report and concurs with the recommendation of the Administration;

NOW, THEREFORE, BE IT FINALLY RESOLVED, that the Lansing City Council hereby approves and authorizes the Transportation Engineer to install additional pavement markings on Pleasant Grove Road south of Victor Avenue to south of Jolly Road by reconfiguring Pleasant Grove Road with a solid white edge line delineating the travel lane and an additional solid white edge line offset five feet from the traveled edge to identify the existing parking.

By Councilmember Kaltenbach

Motion Carried with Councilmembers Jeffries and Wood dissenting

RESOLUTION#317

BY THE COMMITTEE ON PUBLIC SERVICES
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

PUBLIC IMPROVEMENT III

WHEREAS, pursuant to the Public Improvement I I, Resolution 057, adopted by this council on March 12, 2007, the City Assessor has completed the assessment roll for curb and gutter and necessary drainage facilities and sidewalk for an existing street, and furnished the following information:

PROJECT TITLE: PS# 75125 Haag Road Reconstruction

PROPERTY BENEFITTED

CURB AND GUTTER: All lands fronting on Haag Road from Miller Road to Martin Luther King Jr. Boulevard excepting all public streets and alleys and other land deemed not benefited.

SIDEWALK: All lands fronting on Haag Road, from Miller Road to Martin Luther King Jr. Boulevard excepting all public streets and alleys and other land deemed not benefited.

DRIVEWAY: All lands fronting on Haag Road, from Miller Road to Martin Luther King Jr. Boulevard excepting all public streets and alleys and other land deemed not benefited.

		City & Federal Contribution	Assessable to Property Owner
Haag Road	Curb & Gutter Costs	\$50,766.25	\$37,551.33
	New Sidewalk Costs	\$23,647.13	\$18,555.27
	Concrete Driveway Costs	\$32,250.76	\$10,870.07
	Other Costs	\$597,178.84	\$0.00
	Total	\$703,842.98	\$67,006.67

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council will hold a public hearing on Monday, August 20, 2007, at 7:00 PM, in the Council Chambers, to review, prior to confirmation, said assessment roll; and

BE IT FURTHER RESOLVED that the City Clerk and the Public Service Director are hereby requested to give due notice of this public hearing as provided by Chapter 1020, Section 1026.06(c)(1), of the Code of Ordinances by publishing a notice of a public hearing in a daily newspaper of the City, not more than twenty days and not less than ten days before such public hearing. Said notice shall include the time and place of the hearing; a description of the section or area of the City determined by Council to be within the assessment district as contained in the special assessment roll; where the special assessment roll is on file and may be examined; that any person aggrieved by the assessments as contained in the special assessment roll, or the necessity of the improvement, may file a written objection thereto which must be delivered to the City Clerk prior to the close of the hearing, or the person may appear and protest the same at the public hearing in person or by his or her representative; that the appearance and protest or written protest in the manner described is required if the person desires to appeal the amount of the assessment to the Michigan Tax Tribunal; and that any appeal to the Michigan Tax Tribunal must be taken within thirty days of the confirmation of the special assessment roll, provided a protest was timely made.

BE IT FINALLY RESOLVED, that pursuant to the requirement of 1962 PA 162, as amended, MCL 211.741, et seq.; MSA 5.3534(1), et seq., appearance and protest at the hearing in the special assessment proceedings is required in order to appeal the amount of the special assessment to the State Tax Tribunal. An owner or party in interest, or his or her agent may appear in person at the hearing to protest the special assessment, or shall be permitted to file his or her appearance or protest by letter and his or her personal appearance shall not be required.

SOURCES OF FUNDING IMPROVEMENT

	Amount	Account Number
City Share of C&G	\$50,766.25	202 453601 974100 50019
City Share of Sidewalk	\$23,647.13	202 453601 974100 50019
City Share of Driveways	\$32,250.76	202 453601 974100 50019
City Share of Other Costs	\$597,178.84	202 453601 974100 50019
Assessment Roll #G391	\$67,006.70	Account to be Established

By Councilmember Dunbar

Motion Carried

RESOLUTION#318

BY THE COMMITTEE ON PUBLIC SERVICES
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, pursuant to the Public Improvement I/I resolution adopted by this council on March 12, 2007, the City Assessor has completed the assessment roll for sidewalk repair and construction, and furnished the following information:

PROJECT TITLE: 2007 Sidewalk Repair "A"
P.S. #01090

PROPERTY BENEFITTED:

An area bounded by Oakland Avenue, North Washington Avenue, Willow Street, North Grand River Avenue and Seymour Avenue; And also the south side of Ionia Street from North Martin Luther King Jr. Blvd. to Pine Street, Excepting all public streets and alleys and other land deemed not benefited.

ENGINEER'S ESTIMATE, COST OF IMPROVEMENTS:

ASSESSMENTS ROLL NO. 5-007	CITY CONTRIBUTION	ASSESSABLE TO PROPERTY OWNER
SIDEWALK	\$152,887.87	\$63,959.03
DRIVE APPROACHES	\$0.00	\$11,671.35
OTHER COSTS	\$57,317.75	\$0.00
TOTAL COSTS	\$210,305.62	\$75,630.38

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council will hold a public hearing on Monday, August 27, at 7:00 p.m., in the Council Chambers, to review, prior to confirmation, said assessment roll; and

BE IT FURTHER RESOLVED that the City Clerk and the Public Service Director are hereby requested to give due notice of this public hearing as provided by Chapter 1020, Section 1026.06(c)(1), of the Code of Ordinances by publishing a notice of a public hearing in a daily newspaper of the City, not more than twenty days and not less than ten days before such public hearing. Said notice shall include the time and place of the hearing; a description of the section or area of the City determined by Council to be within the assessment district as contained in the special assessment roll; where the special assessment roll is on file and may be examined; that any person aggrieved by the assessments as contained in the special assessment roll, or the necessity of the improvement, may file a written objection thereto which must be delivered to the City Clerk prior to the close of the hearing, or the person may appear and protest the same at the public hearing in person or by his or her representative; that the appearance and protest or written protest in the manner described is required if the person desires to appeal the amount of the assessment to the Michigan Tax Tribunal; and that any appeal to the Michigan Tax Tribunal must be taken within thirty days of the confirmation of the special assessment roll, provided a protest was timely made.

BE IT FINALLY RESOLVED, that pursuant to the requirement of 1962 PA 162, as amended, MCL 211.741, et seq.; MSA 5.3534(1), et seq., appearance and protest at the hearing in the special assessment proceedings is required in order to appeal the amount of the special assessment to the State Tax Tribunal. An owner or party in interest, or his or her agent may appear in person at the hearing to protest the special assessment, or shall be permitted to file his or her appearance or protest by letter and his or her personal appearance shall not be required.

Funds are available for the City of Lansing's share of the project in accounts as follows:

City Share of Sidewalk	\$210,305.62	Account Number
Assessment Roll 5-007	\$75,630.38	410 03300074200013026
		Acct to be established

By Councilmember Dunbar

Motion Carried

RESOLUTION#319

BY THE COMMITTEE ON WAYS AND MEANS
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Mayor has presented an amendment to the Fringe Benefits for the Executive Management Plan Employees at no cost to the employer that makes available to plan employees the Blue Cross Blue Shield VSP 12/12/12 Vision Plan; and

WHEREAS, the Committee on Ways and Means met on July 24, 2007, and reviewed the Mayor's amendment and concurs with it;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, confirms the Mayor's amendment to the Fringe Benefits for the Executive Management Plan Employees to make available for purchase the Blue Cross Blue Shield VSP 12/12/12 Vision Plan.

By Councilmember Wood

Motion Carried

RESOLUTION#320

BY THE COMMITTEE ON WAYS AND MEANS
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Michigan Community Corrections Act of 1988 (PA511) authorizes the establishment of a Community Corrections Advisory Board (CCAB) and Community Corrections programming; and

WHEREAS, Ingham County and the City of Lansing formed a joint Community Corrections Advisory Board (CCAB) in 1990 pursuant to authority to do so as provided in Public Act 511 of 1988 (88PA511); and

WHEREAS, 88PA511 also provides for the funding of CCAB Administration and Community Corrections programming; and

WHEREAS, a Comprehensive Community Corrections Plan was approved by the Ingham County Board of Commissioners, the Lansing City Council, and the State Office of Community Corrections; and

WHEREAS, 88PA511 requires the annual submission of an application that identifies planned priorities and strategies to be implemented for the upcoming State fiscal year FY 2007-2008.

NOW, THEREFORE, BE IT RESOLVED that the City of Lansing joins with the Ingham County Board of Commissioners and approves that a grant application should be submitted to the Michigan Department of Corrections for \$279,500 in CCAB Plans and Services funds, \$43,200 in Drunk Driving Jail Reduction and Community Treatment Program funds, and \$554,800 for Probation Residential Services for a total of \$877,300 for the time period of October 1, 2007 through September 30, 2008.

BE IT FURTHER RESOLVED that should a grant contract be offered by the Michigan Department of Corrections, the County may sign any necessary contracts/subcontracts consistent with this resolution.

By Councilmember Wood

Motion Carried

RESOLUTION#321

BY THE COMMITTEE ON WAYS AND MEANS
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Lansing Police Department's Property and Supply Unit (PSU) currently has 158 pieces of DNA evidence associated with 121 separate complaints prior to 2004; and

WHEREAS, it is a goal of the City of Lansing Cold Case Task Force to identify, review, and investigate violent crime cold cases that have the potential to be solved through DNA analysis and to locate and analyze biological evidence associated with these cases; and

WHEREAS, the task force consisting of LPD detectives and Ingham County Assistant Prosecuting Attorney will be developed to determine which of these identified violent, cold case crimes can be potentially

solved through DNA analysis and to maintain communication between the task force and the Michigan State Police Crime Lab; and

WHEREAS, the National Institute of Justice has issued a notice of funding availability for the National Institute of Justice (NIJ) grant, which provides funding for overtime, fringe, and training for select detectives to investigate violent crime cold cases that have the potential to be solved through DNA analysis; and

WHEREAS, it is proposed that an application for the NIJ grant in the amount of \$357,832.00 be made by the City for the Lansing Cold Case Task Force for a period of eighteen months; and

WHEREAS, this National Institute Justice grant is match-free; and

WHEREAS, the Committee on Ways and Means has reviewed the request and concurred with the submission of the application for the NIJ grant;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, supports the submission of the application to the National Institute of Justice for the NIJ Grant in the amount of \$357,832.00 through the Lansing Cold Case Task Force and to the extent required by the application concurs that the Mayor sign and execute all necessary documents related to the grant application;

BE IT FINALLY RESOLVED that upon notification of the grant award, the Administration will present the grant to the City Council for acceptance.

By Councilmember Wood

Motion Carried

RESOLUTION#322

BY THE COMMITTEE OF THE WHOLE
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, The Green Door Blues Bar and Grill, LLC, 2005 E. Michigan Avenue, has requested a Temporary Outdoor Service permit to serve alcohol in a closed-in portion of the sidewalk directly adjacent to its establishment; and

WHEREAS, the closing of Michigan Avenue is required throughout the period of time the establishment is offering outdoor service; and

WHEREAS, Michigan Avenue from Marshall Street to Foster Street will be closed August 11, 2007, from 8 a.m. to 11 p.m.; and

WHEREAS, the Committee of the Whole reviewed the executed forms and request for a Temporary Outdoor Service permit with an affirmative vote;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, approves a Temporary Outdoor Service permit for The Green Door Blues Bar and Grill, LLC located at 2005 E. Michigan Avenue to allow service of alcohol in a closed-in portion of the sidewalk directly adjacent to its establishment on August 11, 2007, from 8 a.m. to 11 p.m.

BE IT FURTHER RESOLVED that the city Clerk is requested to notify The Green Door Blues Bar and Grill, LLC and Michigan Liquor Control Commission of the approval by the Lansing City Council.

By Councilmember Jeffries

Motion Carried

THIS ITEM WAS RETURNED TO COMMITTEE

BY THE COMMITTEE OF THE WHOLE
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Mayor has requested confirmation of the appointment of Peter Kramer, 1701 Nottingham, Lansing, Michigan 48911 to an At Large position on the Board of Water and Light Commissioners for a term to expire June 30, 2011; and

WHEREAS, the Committee of the Whole met on July 26, 2007, and recommended confirmation of this appointment;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council, hereby, confirms the Mayor's appointment of Peter Kramer, 1701 Nottingham, Lansing, Michigan 48911 to an At Large position on the Board of Water and Light Commissioners for a term to expire June 30, 2011.

By Councilmember Leeman

To recommit the resolution

Motion Carried

RESOLUTION#323

BY THE COMMITTEE OF THE WHOLE
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING
Opposition to Transfer of SDD & SDM Liquor License

WHEREAS, the Lansing City Council has received numerous complaints of loitering, drug trafficking, drunkenness, littering and other conduct of a criminal nature emanating from the premises on or around the Save-On party store located at 736 W. Willow; and

WHEREAS, the Liquor Control Commission has two violations on record for the current liquor license holder for selling liquor to a minor:

5/16/2001 - \$600 fine
5/02/2002 - \$750 fine; and

WHEREAS, a letter of trespass has been placed on file with the Lansing Police Department for the property located at 736 W. Willow as a result of such complaints; and

WHEREAS, the City of Lansing seeks to eliminate criminal activities in this and other neighborhoods; and

WHEREAS, the sale and consumption of alcoholic beverages from this location is believed to contribute to the problems with crime in and around the 700 block of W. Willow; and

WHEREAS, Love America, Inc. seeks to transfer its license to sell liquor at 736 W. Willow to Nishan Singh; and

WHEREAS, the Lansing City Council believes that the transfer of the liquor license from Love America, Inc to Nishan Singh will not improve the incidence of criminal activities reported at this location,

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, objects to the transfer of the liquor license from Love America Inc. to Save-On of Lansing, LLC for the reasons stated above.

By Councilmember Jeffries

Motion Carried

RESOLUTION#324

BY THE COMMITTEE ON GENERAL SERVICES
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING
WHEREAS, the Licensing and Entertainment Division of the Michigan Liquor Control Commission received a request from 414 Entertainment, L.L.C. to transfer ownership of 2006 Class C. Licensed Business with Dance-Entertainment Permit, located at 500 E. Grand River Avenue, Lansing, Michigan 48906, Ingham County,

from Temple Club LLC to 414 Entertainment, L.L.C. and transfer location from 500 E. Grand River Avenue to 414 E. Michigan Avenue, Lansing, Michigan 48933; and

WHEREAS, all appropriate signatures were obtained to transfer ownership of 2006 Class C. Licensed Business with Dance-Entertainment Permit, located at 500 E. Grand River Avenue, Lansing, Michigan 48906, Ingham County, from Temple Club LLC to 414 Entertainment, L.L.C. and transfer location from 500 E. Grand River Avenue to 414 E. Michigan Avenue, Lansing, Michigan 48933; and WHEREAS, the Committee of the Whole reviewed the executed forms and request with an affirmative vote;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, approves the transfer of ownership of 2006 Class C. Licensed Business with Dance-Entertainment Permit, located at 500 E. Grand River Avenue, Lansing, Michigan 48906, Ingham County, from Temple Club LLC to 414 Entertainment, L.L.C. and transfer location from 500 E. Grand River Avenue to 414 E. Michigan Avenue, Lansing, Michigan 48933;

BE IT FURTHER RESOLVED, the City Clerk is requested to notify 414 Entertainment, L.L.C. and Michigan Liquor Control Commission of the approval by the Lansing City Council.

By Councilmember Jeffries

Motion Carried

REPORTS FROM COUNCIL COMMITTEES

There were no Committee Reports

ORDINANCES FOR INTRODUCTION

INTRODUCTION OF ORDINANCE

The following ordinance of the City of Lansing, Michigan, providing that the Code of Ordinances be amended by providing for the rezoning of property located in the City of Lansing, Michigan, and for the revision of the district maps adopted by Section 1246.02 of the Code for property located at:

Z-2-2007, 6040 S. ML King Blvd., from "A" Residential District to "E-2" Local Shopping District

was introduced by the Committee on Development & Planning, read a first and second time by its title and referred back to the Committee on Development and Planning.

RESOLUTION#325

BY THE COMMITTEE ON DEVELOPMENT & PLANNING
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

Resolved by the City Council of the City of Lansing that a public hearing be set for Monday, August 27, 2007, at 7 p.m. in City Council Chambers, Tenth Floor, Lansing City Hall, 124 West Michigan Avenue, Lansing, Michigan, for the purpose of approving and/or opposing the Ordinance for rezoning:

Z-2-2007, 6040 S. ML King Blvd., from "A" Residential District to "E-2" Local Shopping District

By Councilmember Jeffries

Motion Carried

INTRODUCTION OF ORDINANCE

The following ordinance of the City of Lansing, Michigan, providing that the Code of Ordinances be amended by providing for the rezoning of property located in the City of Lansing, Michigan, and for the revision of the district maps adopted by Section 1246.02 of the Code for property located at:

Z-3-2007, Vacant Lot, East of 401 Fenton Avenue, from "F" Commercial District to "A" Residential District

was introduced by the Committee on Development & Planning, read a first and second time by its title and referred back to the Committee on Development and Planning.

RESOLUTION#326

BY THE COMMITTEE ON DEVELOPMENT & PLANNING
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

Resolved by the City Council of the City of Lansing that a public hearing be set for Monday, August 27, 2007, at 7 p.m. in City Council Chambers, Tenth Floor, Lansing City Hall, 124 West Michigan Avenue, Lansing, Michigan, for the purpose of approving and/or opposing the Ordinance for rezoning:

Z-3-2007, Vacant Lot, East of 401 Fenton Avenue, from "F" Commercial District to "A" Residential District

By Councilmember Jeffries

Motion Carried

The Council returned to the order of:

RESOLUTIONS

RESOLUTION#327

BY THE COMMITTEE OF THE WHOLE
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING
WHEREAS, the Licensing and Entertainment Division of the Michigan Liquor Control Commission received a request from On the Grand, Inc. to transfer all ownership of 2007 Class C. Licensed Business, located at 201 E. Grand River Lansing, Michigan 48906, Ingham County, from Grand Café LLC to On the Grand, Inc.; and

WHEREAS, all appropriate signatures were obtained to transfer all ownership of 2007 Class C. Licensed Business, located at 201 E. Grand River Lansing, Michigan 48906, Ingham County, from Grand café LLC to On the Grand, Inc.; and

WHEREAS, the Committee of the Whole reviewed the executed forms and request with an affirmative vote;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, approves the transfer of all ownership of 2007 Class C. Licensed Business, located at 201 E. Grand River, Lansing, Michigan 48906, Ingham County, from Grand Café LLC to On the Grand, Inc.;

BE IT FURTHER RESOLVED, the City Clerk is requested to notify Consuelo H. Torrez, On the Grand, Inc., and Michigan Liquor Control Commission of the approval by the Lansing City Council.

By Councilmember Jeffries

To accept a substitute resolution for the one originally placed in the packet

Motion Carried

By Councilmember Jeffries

To place an affirmative roll on the substitute resolution

Motion Carried

ORDINANCES FOR PASSAGE

There were no Ordinances for Passage

REPORTS FROM CITY OFFICERS, BOARDS, AND COMMISSIONS; COMMUNICATIONS AND PETITIONS; AND OTHER CITY RELATED MATTERS

By Councilmember Jeffries that all items be considered as being read in full and that President Leeman make the appropriate referrals

Motion Carried

• Reports from City Officers, Board and Commissions:

- a. Letters from the City Clerk providing notice of the Denial of requests for licenses in the City of Lansing by the Building Safety Office for:
 - i. A Cabaret License filed by The Firm Food and Spirits, LLC located at 227 S. Washington Sq.

RECEIVED AND PLACED ON FILE

- ii. A Health Club License filed by Oak Park YMCA of Lansing located at 900 Long Blvd.

RECEIVED AND PLACED ON FILE

- b. Letter from the City Clerk providing notice to Able & Affordable Towing, LLC of the Denial of a request to operate or own a Wrecker service license in the City of Lansing by the Planning Office

RECEIVED AND PLACED ON FILE

- c. Letter from the City Clerk submitting an application for Temporary Outdoor Service on City Property filed by The Green Door Blues Bar and Grill, LLC located at 2005 E. Michigan Ave.

RECEIVED AND PLACED ON FILE

- d. Letters from the City Clerk submitting applications for licenses requesting to:
 - i. Transfer Ownership of 2007 Class C Licensed Business, located at 201 E. Grand River Ave., Lansing, MI 48906, Ingham County, from Grand Café L.L.C. to On The Grand, Inc.

RECEIVED AND PLACED ON FILE

- ii. Transfer Ownership of 2006 Class C Licensed Business with Dance-Entertainment Permit, Located in escrow at 500 E. Grand River Ave., Lansing, MI 48906, Ingham County, from Temple Club LLC to 414 Entertainment, L.L.C.; and Transfer Location to 414 E. Michigan Ave., Lansing, MI 48933, Ingham County

RECEIVED AND PLACED ON FILE

- e. Letter from the City Clerk submitting minutes of Boards and Authorities placed on file in the City Clerk's Office

RECEIVED AND PLACED ON FILE

- f. Letters from the Mayor re:

- i. Transfer of Funds; Miscellaneous Operating, Reach Drug Law Enforcement

REFERRED TO THE COMMITTEE ON WAYS AND MEANS AND INTERNAL AUDIT

- ii. Sole Source; Finance Department request for Senior Technology Partners, Inc. as the vendor of IFAS Implementation (Phase II and Phase III)

REFERRED TO THE COMMITTEE ON WAYS AND MEANS AND INTERNAL AUDIT

- iii. Sole Source; Planning and Neighborhood Development/Transportation Office request for Traffic & Safety Control Systems for the purchase of Amano Unit Pay Stations

REFERRED TO THE COMMITTEE ON WAYS AND MEANS AND INTERNAL AUDIT

- iv. External Audit Engagement Letter

REFERRED TO THE COMMITTEE ON WAYS AND MEANS AND INTERNAL AUDIT

- v. Temporary Property Tax Exemption for non-profit owned housing

REFERRED TO THE COMMITTEE ON WAYS AND MEANS AND INTERNAL AUDIT

- vi. Withdrawal of the appointment of Edward Benson to the Lansing Employee Retirement Board

REFERRED TO THE COMMITTEE ON WAYS AND MEANS AND INTERNAL AUDIT

- vii. Withdrawal of the appointment of Gabrielle Haskins to the Planning Board for an At-Large Term to Expire June 30, 2011

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

- viii. Appointment of Edward Benson to the Police and Fire Retirement Board of Trustees for a Non-Member Citizen Term to Expire June 30, 2010

REFERRED TO THE COMMITTEE ON WAYS AND MEANS AND INTERNAL AUDIT

- ix. Installment Purchase Financing of Telephone System

REFERRED TO THE COMMITTEE ON WAYS AND MEANS AND INTERNAL AUDIT

- x. Public Improvement III; Sidewalk, Curb and

Gutter and necessary storm drainage improvements for Haag Rd. from Miller Rd. to Martin Luther King Jr. Blvd. excepting all public streets and alleys and other lands deemed not benefited and request for a Public Hearing

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES

• Communications and Petitions and Other City Related Matters:

- a. Notice from the Michigan Department of Environmental Quality of the issuance of Permit No. 07-33-0024-P to Karp and Associates of 1223 Turner St., Suite A., to place approximately 128 cubic yards of material within the 100-year floodplain to elevate a mixed use structure above the 100-year floodplain

REFERRED TO THE PLANNING AND DEVELOPMENT DEPARTMENT AND REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING AND REFERRED TO THE COMMITTEE ON PUBLIC SERVICES AND REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

- b. Application for Community Funding filed by Churchill Downs Community Association for their Neighborhood Association Picnic to be held August 21, 2007

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

- c. Community Funding Reporting Statement filed by the Capital Foundation for Arts and Culture for their Colors of Salsa event held June 2, 2007

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

- d. Community Funding Reporting Statement filed by Faith Fellowship Baptist Church for their Praise in the Park Neighborhood Children's Block Party held July 7, 2007

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

- e. Letter from Russell Terry of 121 E. Mt. Hope Ave regarding a recycling fee refund

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

- f. Letter from Christine Timmon of 2519 Washington Ave. regarding alleged City Charter and Michigan Rules of Professional Conduct violations

REFERRED TO THE CITY ATTORNEY

- * SUSPENSION ITEM – Email letter from Carol Skillings, no address given, regarding the Show Cause Hearing for 200 Huron St.

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

MOTION OF EXCUSED ABSENCE

By Councilmember Dunbar

To excuse Councilmember Allen from tonight's proceedings

Motion Carried

REMARKS BY COUNCILMEMBERS

Councilmember Kaltenbach asked the administration to revisit the

process for block parties to consider properties that are vacant. He said that the current new process, from what he has been told, requires 100% of the neighbors to sign the petition. If there are vacant properties in the designated area, 100% can never be achieved.

Councilmember Dunbar announced that the Garden Project is having a Garden Tour on August 16, 2007 from 5:30 p.m. to 7:30 p.m. and donations are being requested. She spoke about the farmers' markets that are taking place in the City. She spoke about the concert in the Parks series. She spoke about an email that she received regarding the Pleasant Grove and Holmes Rd area needing attention by the Police and others.

Councilmember Wood again thanked everyone for their support and prayers over the last few days.

City Clerk Swope reminded everyone to get out and vote tomorrow and said that for anyone needing a ride to a polling location, CATA is giving free rides to those who show their voter ID card.

REMARKS BY THE MAYOR OR EXECUTIVE ASSISTANT

Jerry Ambrose, Executive Assistant to the Mayor, reminded everyone that the ballot proposal for tomorrow's election does not mean the property will be sold, but will give Council the right to consider selling it if the opportunity arises. He said that if a resident thinks that a contractor is working outside the limits of the Noise Waiver, he or she can call the Public Service Department at 483-4161 to report it.

ADJOURNED TIME 10:25 P.M.

CHRIS SWOPE, CITY CLERK



**OFFICIAL PROCEEDINGS OF
THE CITY COUNCIL
CITY OF LANSING
PROCEEDINGS OF AUGUST 13, 2007**

fine job over the last 5 years.

City Council Chambers
Lansing, Michigan

The City Council of the City of Lansing met in regular session and was called to order at 7:00 p.m. by President Leeman.

PRESENT: Councilmembers Allen, Dunbar, Jeffries, Kaltenbach, Leeman, Matt, Quinney, Wood

ABSENT: None

The Council observed a moment of Meditation followed by the Pledge of Allegiance led by President Leeman

APPROVAL OF MINUTES

By Councilmember Jeffries

To approve the printed Council Proceedings of July 23 and August 6, 2007

Motion carried

CONSIDERATION OF LATE ITEMS

By Vice President Jeffries

To suspend City Council Rule #11 to allow for Consideration of Late Items

Motion carried

The following items were added to the agenda:

1. From Councilmember Kaltenbach; Letter from Robert Chapman of David Chapman Agency, Inc. regarding the sewer back up at 1419 Center St.

TABLED ITEMS

1. Requiring the owners of property located at 3325 Felt St. to Make Safe or Demolish their property within sixty days of July 16, 2007

SPECIAL CEREMONIES

- Special Ceremonies

1. Presentation; August 2007 Employee of the Month, Sheila Wheeler

Councilmember Dunbar congratulated this month's Employee of the Month Award winner, Sheila Wheeler who works in the Finance Department and has been with the City for 5 years.

Jerry Ambrose, Executive Assistant to the Mayor, stated he was honored to present this certificate to Sheila. He said Sheila always has a smile on her face and goes that extra mile to help someone out, whether it is a co-worker or a resident. He congratulated Sheila for doing such a

COUNCILMEMBERS' COMMENTS AND CITY CLERK'S ANNOUNCEMENTS:

Councilmember Quinney announced that the Lewton/Rich Neighborhood Association will be having their annual picnic on Thursday, August 19, 2007 from 5:30 p.m. to 9:00 p.m. at Francis Park.

Councilmember Dunbar announced that the Sagamore Hill Neighborhood Association is having their annual picnic on Wednesday from 6:00 p.m. to 9:00 p.m. at Quentin Park. The Southside Farmers Market will be open from 2:30 p.m. to 6:30 p.m. at Holmes and Pleasant Grove. The Allen Street Market will be open on Wednesday's from 2:30 p.m. to 6:30 p.m. She spoke about the "Pickin' in the Park" event that will take place in Old Town on Thursday. She spoke about the Southside Community Showcase that will take place at Benjamin Davis Park on August 25, 2007 from 12:00 noon to 6:00 p.m.

Councilmember Allen spoke about the Jazz Fest that was held in Old Town over the weekend and how it was a lovely event. She stated that her sister was in town visiting and that she just loved coming to Lansing because there are so many things to do. She stated that while she was on vacation in Toronto, she noticed how beautiful the flowers were there and how she would like to see all that beauty here in Lansing. She said that recently she has heard reports about how disappointed the residents are with the rain gardens in other areas around Lansing and hopes that the ones that we are putting in are going to be well taken care of and beautiful.

Councilmember Wood spoke about the Community Cares event that took place over the weekend. She said it was a huge success. She thanked everyone who put the event together. She spoke about the Extreme Makeover that took place on Saturday in the Baker-Donora area. She said it too was a huge success. She thanked everyone who has contributed to the problem solving fund that is in honor of her mother.

City Clerk Swope gave an overview of the turn out from last week's election. He thanked the voters for getting out and voting, especially those who voted in the morning in the rain. He thanked the Election Inspectors for their hard work and for doing such a great job. He thanked the City TV staff for assisting with posting the locations of the voting precincts on the City TV channel and for helping with the Election Night show. He thanked Linda Sims for hosting the Election Night Show. He thanked all of the City Employees who worked at the Oakland Center with the processing of the votes. He gave special thanks to his staff in the Clerk's Office for everything that they did to help make Election Day run smoothly and for taking care of the Absentee Ballots for the weeks prior to the election. He said that everyone did a great job. He stated that Tuesday, August 14, 2007 at 4:00 p.m., is the deadline to file to run for a seat on the Lansing School Board and Lansing Community College Board. He said that for the Lansing School Board packets can be obtained from the City Clerk's Office and the Lansing Community College packets can be picked up from the Ingham County Clerk's Office.

SPEAKER REGISTRATION FOR PUBLIC COMMENT

(Clerk Swope announced that the public comment registration form(s) for those intending to address Council on legislative or City

government matters will be collected and that only those persons who have fully completed the form(s) will be permitted to speak.)

MAYOR'S COMMENTS

Mayor Bernero thanked Council for recognizing Sheila Wheeler as Employee of the month. He spoke about the new program for honoring employees for jobs well done. He congratulated all the candidates who will move on to the November election. He thanked the voters for approving the proposal for the sale of the riverfront property. He spoke about the final performance for the "Blues on the Square" event. He spoke about the Senior Prom that took place last Friday in East Lansing. He spoke about the Car Capital Celebration that took place over the weekend. He spoke about the Draw Down Clean-up River event that will take place on August 18, 2007. He spoke about the final Concert in the Park that will be on Wednesday at Rainer Park. He spoke about various items that are on the agenda, and asked for Council's support on these items. He spoke about the Riddle School Garden Picnic. He presented all Councilmembers with a jar of salsa that was made by the students of Riddle School which was made with vegetables from the garden.

SHOW CAUSE HEARINGS

• Comment on Scheduled Show Cause Hearings:

There were no Show Cause Hearings

PUBLIC COMMENT ON LEGISLATIVE MATTERS

• Public Comment on Legislative Matters:

Legislative Matters included the following public hearings:

1. In consideration of an Ordinance of the City of Lansing to amend Chapter 8, Sections 890.01, 890.02 and 890.03 of the Lansing Codified Ordinances by bringing them into conformity with MCL 211.7u and to provide guidelines for poverty exemption eligibility for principle residences
2. In consideration of PRD-1-2007; 7.116 Acres on the north end of Westwood Ave., Petition for Planned Residential Development filed by Bronte' Construction LLC
3. In consideration of Neighborhood Enterprise Zone #21 for the Riverbend/Whitehall property bounded by Main St. to the north, the Grand River to the south, Townsend St. to the west and the east line of parcel 33-01-01-21-203-903

Councilmember Wood gave a brief overview of Public Hearing #1.

Councilmember Jeffries gave a brief overview of Public Hearings #2 and #3.

David Tijerina of 115 W. Cavanaugh Rd. spoke about concerns that he has with the proposed changes to the ordinance for poverty exemption guidelines. He said that foreclosure rate is already high and by making these changes it will be even higher.

John Pollard of 1718 Blair St. spoke in opposition to the number of years requirement change to the poverty exemption guidelines. He also spoke in opposition to the PRD request.

Darnell E. Oldham Sr. of 3815 Berwick Dr. spoke in opposition to the proposed changes to the ordinance for the poverty exemption guidelines.

Dru Vinson of 606 S. Fairview Ave. spoke about concerns that he has

with the proposed changes to the poverty exemption ordinance.

Jack Zuk of 5226 Bunker, Mason, MI spoke in support of the PRD request.

Christine Timmon of 2519 Washington Ave. spoke about concerns that she has with the proposed changes to the poverty exemption ordinance.

REFERRAL OF PUBLIC HEARINGS

1. In consideration of an Ordinance of the City of Lansing to amend Chapter 8, Sections 890.01, 890.02 and 890.03 of the Lansing Codified Ordinances by bringing them into conformity with MCL 211.7u and to provide guidelines for poverty exemption eligibility for principle residences

REFERRED TO THE COMMITTEE ON WAYS AND MEANS AND INTERNAL AUDIT

2. In consideration of PRD-1-2007; 7.116 Acres on the north end of Westwood Ave., Petition for Planned Residential Development filed by Bronte' Construction LLC

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

3. In consideration of Neighborhood Enterprise Zone #21 for the Riverbend/Whitehall property bounded by Main St. to the north, the Grand River to the south, Townsend St. to the west and the east line of parcel 33-01-01-21-203-903

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

PUBLIC COMMENT ON CITY GOVERNMENT RELATED MATTERS:

William Hubbell of 3916 Wedgewood Dr. spoke about last week's election results.

Kevin Green of 401 S. Washington Sq. spoke about the performance of Blues on the Square.

Bob Gray of 422 Dadson Dr. spoke about various city matters.

Dale Abronowitz of 1811 Sunset Ave. spoke about various city matters.

Gary Bodiford of 1120 N. Jenison Ave. spoke about various city matters.

Frank S. Curtis X of 1137 West Allegan St. spoke about various city issues.

Darnell E. Oldham Sr. of 3815 Berwick Dr. spoke about various city matters.

John Pollard of 1718 Blair St. spoke about various city matters.

Russell Terry of 121 E. Mt Hope Ave. gave his condolences to Councilmember Wood and her family for their loss.

Dru Vinson of 606 S. Fairview Ave. spoke about last week's election results.

Jack Zuk of 5226 Bunker, Mason, MI spoke about the conduct of the City Council audience and public comment speakers.

Willy Williams of P O Box 11042 spoke about various city matters.

Christine Timmon of 2519 Washington Ave. spoke about various city matters.

LEGISLATIVE MATTERS

RESOLUTIONS

RESOLUTION#328

BY THE COUNCILMEMBER SANDY ALLEN
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Lansing Code Compliance Officer has declared a certain structure (dwelling) at **1237 Allen Street Parcel # 3301.01.22.281.092 and Legal Description: Lots 112 # 113 Parkview Land Co Add** to be an unsafe and dangerous building and requested the property owner be ordered to demolish or otherwise make safe the structure; and

WHEREAS, The Code Compliance Officer red tagged the said structure on **June 1, 2004**, and requested the property owner be ordered to demolish or otherwise make safe the structure; and

WHEREAS, on **June 28, 2007**, the Lansing Demolition Board held a special meeting to consider and make a recommendation on whether to declare the structure a dangerous building, as defined in the Housing Law of Michigan (MCLA 125.539) and the Lansing Housing and Premises Code (1460.09) to order the property owner to make safe or demolish the structure; and

WHEREAS, the Code Compliance Office has determined that compliance with the order of the Lansing Demolition Hearing Board officer has not occurred; and

WHEREAS, the Housing Law of Michigan and the Housing and Premises Code require that a hearing be conducted to give the property owner an opportunity to show cause why a dangerous structure should not be demolished or otherwise made safe; and

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council hereby schedules a show cause hearing for **Monday, September 10, 2007 at 7:00 p.m.** in the Lansing City Council Chambers, 10th Floor City Hall, 124 W. Michigan, Lansing, Michigan in consideration of the finding and order of the Lansing Demolition Hearing Board Officer regarding the structure at **1237 Allen Street**; to give the owner, or the owner's agent, the opportunity to appear and show cause why the building should not be demolished or otherwise made safe; and to approve, disapprove, or modify the order of the hearing officer to demolish or make safe the subject structure.

BE IT FINALLY RESOLVED that the Lansing City Council requests that the Manager of Code Compliance notify the owner of said property of the opportunity to appear and present testimony at the hearing, as required by law.

By Councilmember Allen

Motion Carried

RESOLUTION#329

BY THE COUNCILMEMBER SANDY ALLEN
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Lansing Code Compliance Officer has declared a certain structure (dwelling) at **907 S. Holmes Parcel # 3301.01.22.202.021 and Legal Description: Lots 24 & 25 Excelsior Land Companys Sub** to be an unsafe and dangerous building and requested the property owner be ordered to demolish or otherwise make safe the structure; and

WHEREAS, The Code Compliance Officer red tagged the said structure on **December 19, 2006**, and requested the property owner be ordered to demolish or otherwise make safe the structure; and

WHEREAS, on **June 28, 2007**, the Lansing Demolition Board held a special meeting to consider and make a recommendation on whether to declare the structure a dangerous building, as defined in the Housing Law of Michigan (MCLA 125.539) and the Lansing Housing and Premises Code (1460.09) to order the property owner to make safe or demolish the structure; and

WHEREAS, the Code Compliance Office has determined that compliance with the order of the Lansing Demolition Hearing Board officer has not occurred; and

WHEREAS, the Housing Law of Michigan and the Housing and Premises Code require that a hearing be conducted to give the property owner an opportunity to show cause why a dangerous structure should not be demolished or otherwise made safe; and

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council hereby schedules a show cause hearing for **Monday, September 10, 2007 at 7:00 p.m.** in the Lansing City Council Chambers, 10th Floor City Hall, 124 W. Michigan, Lansing, Michigan in consideration of the finding and order of the Lansing Demolition Hearing Board Officer regarding the structure at **907 S. Holmes**; to give the owner, or the owner's agent, the opportunity to appear and show cause why the building should not be demolished or otherwise made safe; and to approve, disapprove, or modify the order of the hearing officer to demolish or make safe the subject structure.

BE IT FINALLY RESOLVED that the Lansing City Council requests that the Manager of Code Compliance notify the owner of said property of the opportunity to appear and present testimony at the hearing, as required by law.

By Councilmember Allen

Motion Carried

RESOLUTION#330

BY THE COUNCILMEMBER SANDY ALLEN
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Lansing Code Compliance Officer has declared a certain structure (dwelling) at **2212 Stirling Parcel # 3301.01.29.232.141 and Legal Description: Lot 24 Block 10 Elmhurst Sub** to be an unsafe and dangerous building and requested the property owner be ordered to demolish or otherwise make safe the structure; and

WHEREAS, The Code Compliance Officer red tagged the said structure on **March 6, 2006**, and requested the property owner be ordered to demolish or otherwise make safe the structure; and

WHEREAS, on **June 28, 2007**, the Lansing Demolition Board held a special meeting to consider and make a recommendation on whether to declare the structure a dangerous building, as defined in the Housing Law of Michigan (MCLA 125.539) and the Lansing Housing and Premises Code (1460.09) to order the property owner to make safe or demolish the structure; and

WHEREAS, the Code Compliance Office has determined that compliance with the order of the Lansing Demolition Hearing Board officer has not occurred; and

WHEREAS, the Housing Law of Michigan and the Housing and Premises Code require that a hearing be conducted to give the property owner an opportunity to show cause why a dangerous structure should not be demolished or otherwise made safe; and

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council hereby schedules a show cause hearing for **Monday, September 10, 2007 at 7:00 p.m.** in the Lansing City Council Chambers, 10th Floor City Hall, 124 W. Michigan, Lansing, Michigan in consideration of the finding and order of the Lansing Demolition Hearing Board Officer regarding the structure at **2212 Stirling**; to give the owner, or the owner's agent, the opportunity to appear and show cause why the building should not be demolished or otherwise made safe; and to approve, disapprove, or modify the order of the hearing officer to demolish or make safe the subject structure.

BE IT FINALLY RESOLVED that the Lansing City Council requests that the Manager of Code Compliance notify the owner of said property of the opportunity to appear and present testimony at the hearing, as required by law.

By Councilmember Allen

Motion Carried

RESOLUTION#331

BY THE COUNCILMEMBER SANDY ALLEN
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Lansing Code Compliance Officer has declared a certain structure (dwelling) at **1108 N. High Parcel # 3301.01.10.304.101 and Legal Description: Lot 13 Smith G Youngs Sub of a part of Lots 4 and 5 James Seymours Sub** to be an unsafe and dangerous building and requested the property owner be ordered to demolish or otherwise make safe the structure; and

WHEREAS, The Code Compliance Officer red tagged the said structure on **April 5, 2005**, and requested the property owner be ordered to demolish or otherwise make safe the structure; and

WHEREAS, on **June 28, 2007**, the Lansing Demolition Board held a special meeting to consider and make a recommendation on whether to declare the structure a dangerous building, as defined in the Housing Law of Michigan (MCLA 125.539) and the Lansing Housing and Premises Code (1460.09) to order the property owner to make safe or demolish the structure; and

WHEREAS, the Code Compliance Office has determined that compliance with the order of the Lansing Demolition Hearing Board officer has not occurred; and

WHEREAS, the Housing Law of Michigan and the Housing and Premises Code require that a hearing be conducted to give the property owner an opportunity to show cause why a dangerous structure should not be demolished or otherwise made safe; and

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council hereby schedules a show cause hearing for **Monday, September 17, 2007 at 7:00 p.m.** in the Lansing City Council Chambers, 10th Floor City Hall, 124 W. Michigan, Lansing, Michigan in consideration of the finding and order of the Lansing Demolition Hearing Board Officer regarding the structure at **1108 N. High**; to give the owner, or the owner's agent, the opportunity to appear and show cause why the building should not be demolished or otherwise made safe; and to approve, disapprove, or modify the order of the hearing officer to demolish or make safe the subject structure.

BE IT FINALLY RESOLVED that the Lansing City Council requests that the Manager of Code Compliance notify the owner of said property of the opportunity to appear and present testimony at the hearing, as required by law.

By Councilmember Allen

Motion Carried

RESOLUTION#332

BY THE COUNCILMEMBER SANDY ALLEN
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Lansing Code Compliance Officer has declared a certain structure (dwelling) at **2508 Marcus Parcel # 3301.01.14.379.231 and Legal Description: E ½ Lot 192 & Com NE Cor Lot 192, Th S to SE Cor Lot 192, E 10 Ft to SW Cor Lot 289, N to NW Cor Lot 289, W 10 Ft to Beg; Snyders Sub** to be an unsafe and dangerous building and requested the property owner be ordered to demolish or otherwise make safe the structure; and

WHEREAS, The Code Compliance Officer red tagged the said structure on **March 21, 2005**, and requested the property owner be ordered to demolish or otherwise make safe the structure; and

WHEREAS, on **June 28, 2007**, the Lansing Demolition Board held a special meeting to consider and make a recommendation on whether to declare the structure a dangerous building, as defined in the Housing Law of Michigan (MCLA 125.539) and the Lansing Housing and Premises Code (1460.09) to order the property owner to make safe or demolish the structure; and

WHEREAS, the Code Compliance Office has determined that compliance with the order of the Lansing Demolition Hearing Board officer has not occurred; and

WHEREAS, the Housing Law of Michigan and the Housing and Premises Code require that a hearing be conducted to give the property owner an opportunity to show cause why a dangerous structure should not be demolished or otherwise made safe; and

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council hereby schedules a show cause hearing for **Monday, September 17, 2007 at 7:00 p.m.** in the Lansing City Council Chambers, 10th Floor City Hall, 124 W. Michigan, Lansing, Michigan in consideration of the finding and order of the Lansing Demolition Hearing Board Officer regarding the structure at **2508 Marcus**; to give the owner, or the owner's agent, the opportunity to appear and show cause why the building should not be demolished or otherwise made safe; and to approve, disapprove, or modify the order of the hearing officer to demolish or make safe the subject structure.

BE IT FINALLY RESOLVED that the Lansing City Council requests that the Manager of Code Compliance notify the owner of said property of the opportunity to appear and present testimony at the hearing, as required by law.

By Councilmember Allen

Motion Carried

RESOLUTION#333

BY COUNCILMEMBER QUINNEY
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Cyril McGuire was born on April 9, 1926, to George and Beatrice McGuire was brother to Samuel McGuire and Robert Little and sisters Valena Pompey, Yvonne Woodward, Ruth Chastine, and Ruby Williams; and

WHEREAS, Cyril was a life long resident of Lansing with a wife of 53 years; Mary Jane, and sons; Cyril Kent and Terence Lee and daughter; Pamela Denise Flowers, who bestowed upon them six grandchildren; Evan, Lauren, Kristin, Amanda, Brianna, and Hayle; and

WHEREAS, in 1947, Cyril went to work for Oldsmobile as a machine operator, holding various positions in the Olds Lansing Plant:

Committeeman, Shop Committeeman and Vice Chairman of the Bargaining Committee at Local 652; and

WHEREAS, Cyril was a talented leader, and with his concern about the welfare of working-class people, it defined much of his work; and

WHEREAS, from 1961 to 1969, Cyril served as the first full-time Vice President of United Auto Workers 652 and later as President in 1969, becoming the first black president to a position to which he was re-elected three times; and

WHEREAS, in 1977, he left the position to become UAW's Education Director for Region 1-C; and

WHEREAS, in 1989 Cyril was appointed to the position of the CAP Coordinator for Region 1-C, where he was responsible for coordinating community and political action programs; and

WHEREAS, although he retired in 1991, Cyril served on numerous boards and committees; including the Lansing Council on Alcoholism and Drug Addiction, the Lansing Safety Council, the Lansing Entertainment Public Facility Authority Board and its Personnel Committee, as Chair, the Boy Scouts, Big Brothers-Big Sisters, Salvation Army, the Minority Economic Development Commission, the United Way, and the Urban League and received many rewards from these and other organizations; and

WHEREAS, he took great pride in his long tenure as President of the Michigan Chapters of the A. Phillip Randolph Institute, through which he encouraged voter registration and active participation in public affairs; and

WHEREAS, Cyril was a life member of the national Association for the Advancement of Colored People, an active member of the Democratic Party, serving on both the Ingham County Democratic Executive Committee and State Democratic Central Committee; and

WHEREAS, Cyril was a respected advisor and friend for many of Michigan's political figures in the legislature, the executive branch, and the United States Congress; and

WHEREAS, Cyril will be missed by all for his kind and generous nature, his many talents, including his talent as a pianist;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council extends heartfelt condolences to family, friends, and community. All those who were touched by his life have been blessed.

By Councilmember Quinney

Motion Carried

RESOLUTION#334

BY THE COMMITTEE ON GENERAL SERVICES
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Sagamore Hill Neighborhood Association has requested \$500.00 to defray costs associated with the Sagamore Neighborhood Association picnic to be held on August 15, 2007; and

WHEREAS, the Committee on General Services on August 13, 2007 reviewed the request and voted to approve \$250 to offset costs associated with food and the rental of the Bounce House obstacle course;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, approves a \$250 allocation from the Community Promotion Account to the Sagamore Hill Neighborhood Association to defray costs associated with food and rental of the Bounce House obstacle course for the Neighborhood Picnic to be held on August 15, 2007;

BE IT FURTHER RESOLVED that the Mayor and the Finance Department shall process this request by charging \$250.00 to the Community Promotion Account – 101.112101.741289;

BE IT FINALLY RESOLVED that the Sagamore Hill Neighborhood Association shall submit a written analysis of the event, including information regarding the number of attendees, and a detail of their accounting of expenses to the Lansing City Council within 60 days after the event.

By Councilmember Kaltenbach

Motion Carried

RESOLUTION#335

BY THE COMMITTEE ON GENERAL SERVICES
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Churchill Downs Community Association has requested \$350.00 to defray costs associated with the Churchill Downs Community Association picnic to be held on August 21, 2007; and

WHEREAS, the Committee on General Services on August 13, 2007 reviewed the request and voted to approve \$350 to offset costs associated with rental of the showmobile;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, approves a \$350 allocation from the Community Promotion Account to the Churchill Downs Community Association to defray costs associated with the rental of the showmobile for the Churchill Downs Community Association Picnic to be held on August 21, 2007;

BE IT FURTHER RESOLVED that the Mayor and the Finance Department shall process this request by charging \$350.00 to the Community Promotion Account – 101.112101.741289;

BE IT FINALLY RESOLVED that the Churchill Downs Community Association shall submit a written analysis of the event, including information regarding the number of attendees, and a detail of their accounting of expenses to the Lansing City Council within 60 days after the event.

By Councilmember Kaltenbach

Motion Carried

REPORTS FROM COUNCIL COMMITTEES

There were no Committee Reports

ORDINANCES FOR INTRODUCTION

There were no Ordinances for Introduction

ORDINANCES FOR PASSAGE

There were no Ordinances for Passage

REPORTS FROM CITY OFFICERS, BOARDS, AND COMMISSIONS; COMMUNICATIONS AND PETITIONS; AND OTHER CITY RELATED MATTERS

By Councilmember Jeffries that all items be considered as being read in full and that President Leeman make the appropriate referrals

Motion Carried

- Reports from City Officers, Board and Commissions:

- a. Letters from the City Clerk submitting:
- i. Application for Fireworks Display Permits filed by Roger Bonney of Night Magic & Lansing Lugnuts for August 4, 17, 24, and 25, and September 1 and 3, 2007 at Oldsmobile Park with a rain date of September 3, 2007.

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

- ii. Minutes of Boards and Authorities placed on file in the City Clerk's Office

RECEIVED AND PLACED ON FILE

- b. Letters from the Mayor regarding:
- i. Sole Source Purchase; Fire Department request for Rae Systems as the vendor for an AreaRae Rapid Deployment Kit Gamma-System Package

REFERRED TO THE COMMITTEE ON WAYS AND MEANS AND INTERNAL AUDIT

- ii. Transfer of Funds; Fire Maintenance, Equipment < \$5000

REFERRED TO THE COMMITTEE ON WAYS AND MEANS AND INTERNAL AUDIT

- iii. Transfer of Funds; Police Administration, Donations-Contributions

REFERRED TO THE COMMITTEE ON WAYS AND MEANS AND INTERNAL AUDIT

- iv. Obsolete Property Rehabilitation Act (OPRA) Certificate filed by the International Association of Heat & Frost Insulators Retirement Trust Plan for property located at 906 Terminal Rd.

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

- v. Sale of Property; 200 block of S. Grand Ave., ACT-6-2007 and ACT-7-2007

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

- Communications and Petitions, and Other City Related Matters:

- a. Letter from John Daher, Lansing Charter Township Supervisor, requesting the formation of a Liason Committee regarding the extension of a sanitary sewer

REFERRED TO THE COMMITTEE OF THE WHOLE

- b. Application for Community Funding filed by Sagamore Hill Neighborhood Association for their Neighborhood Picnic to be held August 15, 2007

RECEIVED AND PLACED ON FILE

- c. Letter from Fred Williams of 350 E. Gier regarding the City

Attorney

RECEIVED AND PLACED ON FILE

- d. Letter from Garry Kellogg of 137 E. Reasoner St. regarding activities at 129 E. Reasoner St.

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY AND REFERRED TO THE PLANNING AND DEVELOPMENT DEPARTMENT/CODE COMPLIANCE

- e. Letter from Robert Chapman of David Chapman Agency, Inc. regarding the sewer back up at 1419 Center St.

*SUSPENSION ITEM-REFERRED TO THE COMMITTEE ON PUBLIC SERVICES AND REFERRED TO THE CITY ATTORNEY

REMARKS BY COUNCILMEMBERS

Councilmember Dunbar spoke about a letter that she received from a resident about the construction crews beginning work before 8:00 a.m. She asked the administration to look into the matter.

Councilmember Kaltenbach stated that it was explained at the Committee meeting today that crews are allowed to start their trucks before 8:00 a.m. He said Chad Gamble explained the correct process for construction crews. He asked the administration to look into the proper procedure for the use of the hard containers for leaves for disabled citizens. He said that he received a call from a resident who is visually impaired and the resident was told by the Public Service Department that he was not eligible to use the containers because he was not over the age of 75 and that in order to be considered disabled you have to have a back problem.

Councilmember Wood asked the administration if they could provide the Council with the criteria for this program. She also asked the administration if they knew anything about housing meeting for the Genesee Neighborhood and if they could please let her know any information on the meeting.

Jerry Ambrose, Executive Assistant to the Mayor, said that he would look into the container program for handicap residents. He said that he was not aware of any age limits. He said that he was not aware of any meeting for the Genesee Neighborhood but if he finds anything out he will let Councilmember Wood know about it.

By Vice President Jeffries

To suspend City Council Rule #11 to add to the agenda:

- Approval of a Fireworks Display Permit filed by Roger Bonney on behalf of Night Magic/Lansing Lugnuts located at 505 E. Michigan Avenue, Oldsmobile Park for the following dates:
August 4, 17, 24, and 25, and September 1 and 3, 2007 with a rain date of September 3, 2007.

Motion Carried

The Council returned to the Order of:

RESOLUTIONS**RESOLUTION#336**

BY COUNCILMEMBER KALTENBACH
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the City Clerk has forwarded an application for a City Permit, which has been routinely processed without objection and is ready for final action by this Council; and

WHEREAS, all required signatures have been obtained supporting the application for a fireworks display permit;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council, hereby, approves the application for a City Permit as follows:

FIREWORKS DISPLAY PERMIT:

Night Magic Displays and Roger L. Bonney for a Fireworks Display Permit for August 4, 17, 24, and 25, and September 1 and 3, with a rain date of September 3, 2007 to be located at Oldsmobile Park, Lansing, Michigan.

By Councilmember Kaltenbach

Motion Carried

**REMARKS BY THE MAYOR
OR EXECUTIVE ASSISTANT**

Jerry Ambrose, Executive Assistant to the Mayor, indicated that Councilmember Allen's issue regarding a radio tower at Holmes & Washington had been addressed.

ADJOURNED TIME 8:53 P.M.

CHRIS SWOPE, CITY CLERK



**OFFICIAL PROCEEDINGS OF
THE CITY COUNCIL
CITY OF LANSING
PROCEEDINGS OF AUGUST 20, 2007**

City Council Chambers
Lansing, Michigan

The City Council of the City of Lansing met in regular session and was called to order at 7:00 p.m. by President Leeman.

PRESENT: Councilmembers Allen, Dunbar, Jeffries, Kaltenbach, Leeman, Wood

ABSENT: Councilmembers Matt and Quinney

Councilmember Allen asked to remember city employee Tony Noyola during the meditation

The Council observed a moment of Meditation followed by the Pledge of Allegiance led by President Leeman

APPROVAL OF MINUTES

By Councilmember Jeffries

To approve the printed Council Proceedings of August 13, 2007

Motion carried

CONSIDERATION OF LATE ITEMS

By Vice President Jeffries

To suspend City Council Rule #11 to allow for Consideration of Late Items

Motion carried

The following items were added to the agenda:

1. From Councilmember Jeffries; Letter from Rod Shangles, Secretary of Shady Oak Neighborhood Association re: PRD-1-2007
2. From Councilmember Wood; Presentation; Old Town Commercial Association on Ikea's Main Street Makeover

TABLED ITEMS

1. Requiring the owners of property located at 3325 Felt St. to Make Safe or Demolish their property within sixty days of July 16, 2007

SPECIAL CEREMONIES

- Special Ceremonies

1. Presentation; July Employee of the Month, Barbara Mottin

Mayor Bernero was pleased to present this special award to Barb Mottin of the Lansing Police Department. He said that Barb could not be here to accept this but we still wanted to make sure that she is recognized. He said Barb is part of the 911 Communications Center and goes out of

her way to help anyone and everyone and he congratulated her on being the July Employee of the Month.

2. Presentation; Old Town Commercial Association on Ikea's Main Street Makeover

Mayor Bernero stated that Old Town is in a contest through IKEA to have a makeover. He said this is a great thing for Old Town and Lansing and he appreciates the leadership in Old Town. He said Old Town is in first place right now and he introduced Jaime Schriener-Hooper.

Jaime Schriener-Hooper introduced some of the business owners and board members that came with her. She gave a brief overview of the contest and said people can vote once for each email address they have. She stated that the website is ikea.com/business/mainstreet and the deadline to cast votes is midnight Wednesday.

President Leeman congratulated the Old Town business owners and wished them luck.

COUNCILMEMBERS' COMMENTS AND CITY CLERK'S ANNOUNCEMENTS:

Vice President Jeffries announced that the Churchill Downs Neighborhood Association will be having their annual picnic on Tuesday at 6:30 p.m.

Councilmember Dunbar announced that the Southside Community Showcase is scheduled for August 25, 2007 at Benjamin Davis Park from 12:00 noon to 6:00 p.m. and for more information call 374-5700.

Councilmember Allen wished Councilmember Dunbar a Happy Birthday.

SPEAKER REGISTRATION FOR PUBLIC COMMENT

(Clerk Swope announced that the public comment registration form(s) for those intending to address Council on legislative or City government matters will be collected and that only those persons who have fully completed the form(s) will be permitted to speak.)

MAYOR'S COMMENTS

Mayor Bernero spoke about the completion of the first portion of the Rain Gardens along Michigan Avenue and the role that they will play in the City. He spoke about the construction of the traffic circle. He spoke about the strategy of fighting crime in the city. He spoke about an item on the tonight's agenda. He spoke about the tragic loss of Tony Noyola.

SHOW CAUSE HEARINGS

- Comment on Scheduled Show Cause Hearings:

1. In consideration of the issuance of orders for Make Safe or Demolish to the owners of property located at 310 Haag Ct.
2. In consideration of the issuance of orders for Make Safe or Demolish to the owners of property located at 200 Huron St.

Councilmember Allen gave a brief overview of the properties.

Jason Coutcher of 200 Huron stated that he was the owner of the property on Huron. He said that he is working on the property and asked for more time to complete it.

REFERRAL OF SHOW CAUSE HEARINGS

1. In consideration of the issuance of orders for Make Safe or Demolish to the owners of property located at 310 Haag Ct.

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

2. In consideration of the issuance of orders for Make Safe or Demolish to the owners of property located at 200 Huron St.

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

PUBLIC COMMENT ON LEGISLATIVE MATTERS

- Public Comment on Legislative Matters:

Legislative Matters included the following public hearings:

1. In consideration of Public Improvement III; Repair and Reconstruction of public sidewalks excepting all public streets and alleys and other land deemed not benefited in areas bounded by:
 •Jolly Rd., Crocus Ave., Bluebell Dr. and S. Washington Ave.
 •Jolly Rd., Ballard Rd., Ingham St. and Fielding Dr.
 •Cavanaugh Rd., S. Pennsylvania Ave., Vernon Ave. and Parkway Blvd.
2. In consideration of Public Improvement III; Sidewalk, Curb and Gutter and necessary storm drainage improvements for Haag Rd. from Miller Rd. to Martin Luther King Jr. Blvd. excepting all public streets and alleys and other lands deemed not benefited

Councilmember Dunbar gave a brief overview of both public hearings.

Qunita Williamson of 5700 Haag Rd. spoke about concerns that she has with the construction that is taking place in her neighborhood. She also spoke in opposition to the new sidewalks.

Bruce Pettit of 5834 Haag Rd. asked why there is a need to put the sidewalks in, stating that the existing ones don't get used and neither will the new ones.

John Frost of 4406 Ingham St spoke in opposition to putting in the new sidewalks. He stated that he was happy to see the road on Haag being redone.

John Pollard of 1718 Blair St. spoke about concerns that he has with the installment payment process for the new sidewalks.

Darnell E. Oldham Sr. of 3815 Berwick Dr spoke in opposition to the sidewalk assessment. He said the city should offer payment plans to residents instead of making them pay it all at once.

Christine Timmon of 2519 Washington Ave. spoke in opposition to putting police cameras in the neighborhoods.

Dru Vinson of 606 S. Fairview Ave. spoke about concerns that he has with the sidewalk assessments.

Charlene Decker of 2711 Pleasant Grove Rd. spoke in opposition the

sidewalk assessments.

Willy Williams of P O Box 11042 spoke in support of putting in the sidewalks. He asked that the audience be made to keep quite while people are up speaking.

REFERRAL OF PUBLIC HEARINGS

1. In consideration of Public Improvement III; Repair and Reconstruction of public sidewalks excepting all public streets and alleys and other land deemed not benefited in areas bounded by:
 •Jolly Rd., Crocus Ave., Bluebell Dr. and S. Washington Ave.
 •Jolly Rd., Ballard Rd., Ingham St. and Fielding Dr.
 •Cavanaugh Rd., S. Pennsylvania Ave., Vernon Ave. and Parkway Blvd.

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES

2. In consideration of Public Improvement III; Sidewalk, Curb and Gutter and necessary storm drainage improvements for Haag Rd. from Miller Rd. to Martin Luther King Jr. Blvd. excepting all public streets and alleys and other lands deemed not benefited

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES

PUBLIC COMMENT ON CITY GOVERNMENT RELATED MATTERS:

Michael Morofsky of 1300 Woodbine Ave. spoke about concerns with Lansing Police Department and their policies for home invasions.

Bob Gray of 422 Dadson Dr. spoke about various city matters.

Frank S. Curtis X of 1137 West Allegan St. spoke about various city matters.

Gary Bodiford of 1120 N. Jenison Ave. spoke about various city matters.

John Pollard of 1718 Blair St. spoke about various city matters.

Darnell E. Oldham Sr. of 3815 Berwick Dr spoke about various city matters.

Dru Vinson of 606 S. Fairview Ave. spoke about various city matters.

Charlene Decker of 2711 Pleasant Grove Rd. spoke about city matters.

Willie Hobbs of 604 Clifford St spoke about various city matters.

LEGISLATIVE MATTERS

RESOLUTIONS

RESOLUTION#337

BY THE DEVELOPMENT AND PLANNING COMMITTEE
 RESOLUTION TO SET A PUBLIC HEARING REGARDING THE
 ESTABLISHMENT OF AN OBSOLETE PROPERTY
 REHABILITATION EXEMPTION CERTIFICATE
 906 Terminal Road

WHEREAS, International Association of Heat & Frost Insulators Retirement Trust Plan, owner of the property located at 906 Terminal Road in the City of Lansing, Michigan (the Property) has applied to the City of Lansing for the City to approve the issuance of an

Obsolete Property Rehabilitation Exemption Certificate (the "OPT Certificate"), pursuant to the Michigan Obsolete Property Rehabilitation Act, being Public Act 146 of 2000 (the Act); and

WHEREAS, the property in question of the Certificate is legally described as:

LOT 7 CAPITAL CITY WAREHOUSING SUB

WHEREAS, an Obsolete Property Rehabilitation District was established by the Lansing City Council on July 16, 2007 in accordance with the act; and

WHEREAS, the Act requires that before granting a Certificate the Lansing City Council hold a public hearing in order to provide an opportunity for the applicant, the City Assessor, a representative of the affected taxing units, the residents, and other taxpayers of the City of Lansing general public appear and be heard regarding the approval of the OPT Certificate.

NOW THEREFORE BE IT RESOLVED that a public hearing be held in the City Council Chambers of the City of Lansing, 10th Floor, Lansing City Hall, Lansing, Michigan, on the 10th day of September, 2007 at 7:00 p.m. for the purpose of receiving public comment on the establishment of an Obsolete Property Rehabilitation Certificate under the provisions of Public Act 146 of 2000 and that the Clerk shall publish once in a publication of general circulation within the community a notice of the scheduled public hearing and that the notice appear not less than 10 or more than 30 days prior to the date of the hearing and that the Clerk also cause the owner of property within the proposed district to receive written notice of the public hearing to be delivered by certified mail.

By Councilmember Jeffries

Motion Carried

RESOLUTION#338

BY THE COMMITTEE ON DEVELOPMENT AND PLANNING
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Mayor has requested confirmation of the appointment of Calvin Jones, 5717 Pembroke Place, Lansing, Michigan 48917 to the Board of Directors of the Lansing Economic Development Corporation, Brownfield Redevelopment Authority, Tax Increment Finance Authority for a term to expire February 28, 2011; and

WHEREAS, the Committee on Development and Planning met on August 15, 2007, and recommended confirmation of this appointment.

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby confirms the appointment of Calvin Jones, 5717 Pembroke Place, Lansing, Michigan 48917 to the Board of Directors of the Lansing Economic Development Corporation, Brownfield Redevelopment Authority, Tax Increment Finance Authority for a term to expire February 28, 2011.

By Councilmember Jeffries

To accept a substitute resolution for the one originally placed in the packet

Motion Carried

By Councilmember Jeffries

To place an affirmative roll on the substitute resolution

Motion Carried

RESOLUTION#339

BY THE COMMITTEE ON DEVELOPMENT AND PLANNING
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Mayor has requested confirmation of the appointment of Brad Williams, 1532 N. Genesee, Lansing, Michigan 48915 to the 4th Ward position on the Planning Board for a term to expire June 30, 2008; and

WHEREAS, the Committee on Development and Planning met on June 20, 2007, and recommended confirmation of this appointment.

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby confirms the Mayor's appointment of Brad Williams, 1532 N. Genesee, Lansing, Michigan 48915 to the an 4th Ward position on the Planning Board for a term to expire June 30, 2008.

By Councilmember Jeffries

Motion Carried

Brad Williams was sworn in by City Clerk Swope

RESOLUTION#340

BY THE COMMITTEE ON GENERAL SERVICES
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, DelRae Finnerty sought to eliminate the special assessment of \$1,428.52 and all associated penalties and interest placed on the property tax bill involving a trash violation fee at 214 Lathrop Street; and

WHEREAS, the General Services Committee met on August 13, 2007, and denied the claim;

NOW, THEREFORE, BE IT RESOLVED that the City Council, hereby, denies the claim filed by DelRae Finnerty sought to eliminate the special assessment of \$1,428.52 and all associated penalties and interest placed on the property tax bill involving a trash violation fee at 214 Lathrop Street;

BE IT FURTHER RESOLVED that the City Attorney shall take the appropriate steps to process this claim.

By Councilmember Kaltenbach

Motion Carried

RESOLUTION#341

BY THE COMMITTEE ON GENERAL SERVICES
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Russell Terry sought to eliminate a special assessment placed on the property located at 121 E. Mt. Hope Avenue for recycling fees charged based on a 2 unit residence in the amount of \$311.00 and all associated penalties and interest on the property tax bill involving the special assessment; and

WHEREAS, the property was declared in 2002 as a 2 unit residence in error; and

WHEREAS, the General Services Committee met on August 13, 2007, and approved the claim;

NOW, THEREFORE, BE IT RESOLVED that the City Council, hereby, approves the claim filed by Russell Terry on a special assessment placed on the property at 121 E. Mt. Hope for recycling fees charged based on a 2 unit residence in the amount of \$311.00 and all associated penalties and interest;

BE IT FURTHER RESOLVED that the City Attorney shall take the appropriate steps to process this claim.

By Councilmember Kaltenbach

Motion Carried

RESOLUTION#342

BY THE COMMITTEE ON GENERAL SERVICES
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, James Dothard sought to eliminate a special assessment in the amount of \$2,584.35 and all associated penalties and interest placed on the property tax bill of 1425 N. Jenison Street involving a trash violation fee; and

WHEREAS, the General Services Committee met on August 13, 2007, and denied the claim;

NOW, THEREFORE, BE IT RESOLVED that the City Council, hereby, denies the claim filed by James Dothard sought to eliminate a special assessment in the amount of \$2,584.35 and all associated penalties and interest placed on the property tax bill of 1425 N. Jenison Street involving a trash violation fee;

BE IT FURTHER RESOLVED that the City Attorney shall take the appropriate steps to process this claim.

By Councilmember Kaltenbach

Motion Carried

RESOLUTION#343

BY THE COMMITTEE ON GENERAL SERVICES
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Erik Ferden sought to eliminate a special assessment in the amount of \$246.96 and all associated penalties and interest placed on the property tax bill of a vacant lot on Carrier Street, Parcel #33-01-01-04-153-011 involving a trash violation fee; and

WHEREAS, the General Services Committee met on August 13, 2007, and granted the claim;

NOW, THEREFORE, BE IT RESOLVED that the City Council, hereby, grants the claim filed by Erik Ferden on a special assessment in the amount of \$246.96 and all associated penalties and interest placed on the property tax bill of a vacant lot on Carrier Street, Parcel #33-01-01-04-153-011, involving a trash violation fee;

BE IT FURTHER RESOLVED that the City Attorney shall take the appropriate steps to process this claim.

By Councilmember Kaltenbach

Motion Carried

RESOLUTION#344

BY THE COMMITTEE ON GENERAL SERVICES
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the City of Lansing Public Service Department will be separating the combined sewers and other infrastructure improvements in the CSO 013 Northwest Project Area, which is bounded by Carrier Street on the northside, Turner Street (between Carrier Street and Jackson Street) on the eastside, Howe Avenue (west of Turner Street) on the southside, and Jones Lake and Hi-Ball Crane property on the Westside; and

WHEREAS, Six-S, Inc. will perform construction activities in the CSO 013 Northwest Project Area and has requested a waiver of the noise ordinance to allow construction activities on Saturdays from 8:00 a.m. to 5:00 p.m.; and

WHEREAS, it is in the best interest of the affected property owners and the City of Lansing to assure that the project is kept on schedule; and

WHEREAS, by allowing the contractor to work on Saturdays from 8:00 a.m. to 5:00 p.m., it would help to meet the time schedule in the Fiscal Year 2007 Construction Season;

WHEREAS, a public hearing was held at the Lansing City Council meeting on Monday, August 6, 2007, in consideration of this request;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council approves the waiver of the noise ordinance to allow Six-S, Inc. to perform construction activities in the FY 2007 construction season in the CSO 013 Northwest Project Area on Saturdays from 8:00 a.m. to 5:00 p.m. **through November 15, 2007.**

By Councilmember Kaltenbach

To place an affirmative roll on the resolution

By Councilmember Jeffries

To amend the resolved clause by inserting "through November 15, 2007" at the end of the Resolved clause

Motion Carried

The question being the motion to place an affirmative role on the resolution

Motion Failed with Councilmember Wood voting Nay (Note: vote was reconsidered later in the meeting)

RESOLUTION#345

BY THE COMMITTEE ON PUBLIC SAFETY
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Ingham County Board of Commissioners confirmed the appointment of Thomas Barger, 3030 Ivywood Lane, Lansing, MI 48911 to the Community Corrections Advisory Board as the criminal defense attorney representative and the City's joint confirmation was requested; and

WHEREAS, the Committee on Public Safety met on August 15, 2007 and took affirmative action; and

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, confirms the appointment of Thomas Barger to the Ingham County/City of Lansing Community Corrections Advisory Board as the criminal defense attorney representative.

By Councilmember Allen

Motion Carried

RESOLUTION#346

RESOLVED BY COMMITTEE ON WAYS AND MEANS
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING
City of Lansing
Counties of Ingham and Eaton, State of Michigan
RESOLUTION APPROVING INSTALLMENT
PURCHASE FINANCING OF TELEPHONE SYSTEM

WHEREAS, the City of Lansing, Michigan (the "City") determines it to be necessary to acquire and install a new telephone system and related equipment in City Hall and other City-owned facilities (collectively, the "Property") for a cost currently estimated not-to-exceed \$518,000; and

WHEREAS, pursuant to the authority granted by Act No. 99, Public Acts of Michigan, 1933, as amended ("Act 99"), the legislative body of a city may enter into any contract or agreement for the purchase of lands, property or equipment for public purposes, to be paid for in installments over a period of not to exceed 15 years but in any case not to exceed the useful life of the property acquired, as the useful life shall be determined by resolution of the legislative body; and

WHEREAS, Act 99 requires that the outstanding balance of all purchases by a city under Act 99 shall not exceed one and one quarter percent (1-1/4%) of the taxable value of the real and personal property in such city at the date of such contract or agreement; and

WHEREAS, purchase of the Property by the City in an amount not-to-exceed \$518,000 pursuant to an installment purchase contract or agreement will not result in the outstanding balance of all purchases by the City under Act 99 exceeding one and one quarter percent (1-1/4%) of the taxable value of the real and personal property in the City; and

WHEREAS, this City Council determines that the most expeditious and efficient manner of acquiring the Property is pursuant to the authority granted by Act 99, and this City Council determines it to be in the best interest of the City to acquire the Property in accordance with the provisions of Act 99.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The Finance Director is hereby authorized to negotiate an installment purchase contract or agreement, in such form as the Finance Director shall deem to be necessary or appropriate, among the City, the persons offering to sell the Property to the City, and a bank or other financial institution. Principal payable pursuant to the installment purchase contract shall be payable over a period to be determined by the Finance Director but in any event not to exceed the useful life of the Property shown in Section 2 of this resolution or 15 years, whichever is less. The net interest cost payable under the installment purchase contract shall not exceed 6.00% per annum, and the principal amount to be paid by the City under the installment purchase contract shall not exceed \$518,000. The Finance Director is hereby authorized and directed to execute and deliver the installment purchase contract in final form.
2. The useful life of the Property is hereby determined to be not less than 10 years. The acquisition of the Property and the approval of the installment purchase contract hereby are found and declared to be for a valid public purpose and in the best interest of the welfare of the residents of the City.
3. The City hereby agrees to include in its budget for each year, commencing with the present fiscal year, a sum which will be sufficient to pay the principal of and the interest coming due under the installment purchase contract before each following fiscal year. In addition, the City agrees to levy sufficient taxes in an amount necessary to make its debt service payments under the installment purchase contract, subject to applicable constitutional, statutory and charter tax rate limitations.
4. The Finance Director is hereby directed and authorized to execute such additional documentation as shall be necessary to effectuate the closing contemplated by the installment purchase contract and the assignment thereof, including requisition certificates (if provided by the form of installment purchase contract) providing payment to the sellers of the Property upon delivery of any portion of the Property or for reimbursement of previously appropriated or advanced costs.
5. The Finance Director is hereby authorized to make all administrative transfers necessary to implement this resolution, including current fiscal year debt service account, and to establish appropriate construction and financing accounts.
6. The City covenants that, to the extent permitted by law, it shall take all actions within its control necessary to maintain the exclusion of the interest component of the payments due under the installment purchase contract from adjusted gross income for general federal income tax purposes under Internal Revenue Code of 1986, as amended (the "Internal Revenue Code"), including but not limited to, actions relating to the rebate of arbitrage earnings, if applicable.
7. The City hereby makes the following declaration of intent for the purpose of complying with the reimbursement rules of Treas. Reg. § 1.150-2 pursuant to the Internal Revenue Code:
 - (a) The City reasonably expects to reimburse itself with proceeds of debt to be incurred by the City for the expenditures made to pay certain costs associated with the Property which were or will be paid subsequent to sixty (60) days prior to the date hereof from the general funds or capital fund of the City.
 - (b) As of the date hereof, the maximum principal amount of debt expected to be issued for reimbursement purposes, including reimbursement of debt issuance costs, is \$518,000, which debt may be issued in one or more series and/or together with debt for other purposes.
 - (c) A reimbursement allocation of the expenditures described in paragraph (a) above with the proceeds of the borrowing described herein will occur not later than 18 months after the later of (i) the date on which the expenditure is paid, or (ii) the date the Property is placed in service or abandoned, but in no event more than three (3) years after the original expenditure is paid. A reimbursement allocation is an allocation in writing that evidences the City's use of the proceeds of the debt to be issued for the Property to reimburse the City for a capital expenditure made pursuant to this Resolution.
 - (d) The expenditures for the Property are "capital expenditures" as defined in Treas. Reg. § 1.150-1(b), which are any costs of a type which are properly chargeable to a capital account (or would be so chargeable with a proper election or with the application of the definition of "placed in service" under Treas. Reg. § 1.150-2(c)) under general Federal income tax principles (as determined at the time the expenditure is paid).
 - (e) No proceeds of the borrowing paid to the City in reimbursement pursuant to this Resolution will be used in a manner described in Treas. Reg. § 1.150-2(h) with respect to abusive uses of such proceeds, including, but not limited to, using funds corresponding to the proceeds of the borrowing in a manner that results in the creation of replacement proceeds (within Treas. Reg. § 1.148-1) within one year of the reimbursement allocation described in (c) above.
8. The City recognizes that Miller, Canfield, Paddock and Stone, P.L.C. has represented from time to time, and currently represents, various banks, underwriters, and financial institutions, sellers, contractors, and other potential participants in this financing for unrelated matters. The City appoints Miller, Canfield as counsel for this financing, notwithstanding the potential concurrent representation of any such participant regarding any unrelated matter.
9. The Mayor, City Clerk, and Finance Director of the City, and other officials and agents of the City, are each severally authorized to do all acts and things and, upon the advice of counsel, to execute any documents or certificates as may be necessary or desirable to deliver the aforesaid documents to the parties and to effectuate the transactions described therein and the purposes of this Resolution, and to pay any costs necessary to accomplish negotiation and execution of the installment purchase contract.

10. All resolutions and parts of resolutions insofar as they conflict with this resolution are hereby rescinded.

By Councilmember Wood

Motion Carried

RESOLUTION#347

BY THE COMMITTEE ON WAYS AND MEANS
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, a request from Administration was referred to the Committee on Ways and Means to support a resolution approving an Installment Purchase Financing of a Telephone System; and

WHEREAS, The Committee on Ways and Means met on August 14, 2007, to review the request and took affirmative action based on the following information:

- 1) Current phone system in City Hall and in the Police Building has been extended beyond its life;
- 2) The recommended replacement would be state-of-the art technology, IP based system capable of meeting 21 century business requirements;
- 3) Cost of the system, including uninterruptible power supply and bond issuance, costs is \$518,000;
- 4) Debt service is estimated at between \$65,000 and \$75,000 over the next ten years, depending on interest rates;
- 5) Debt service is included in the current budget;
- 6) Cost of the system is being offset by current savings achieved with respect to city phone service of more than \$84,000 annually from reductions in local and long distance telephone service and an additional amount of more than \$25,000 will be achieved from a reduction in the number of phone lines necessary to support the system;
- 7) The new system will be installed in a secure location, with limited access and proper environmental controls. The current system has experienced system failures and maintenance issues because of the lack of proper cooling;
- 8) Voice mail messages will be able to be integrated with our electronic mail system to enable users to have unified messaging;
- 9) The implementation of this new technology will allow elimination of the telephone network, which have components that were installed at the time City Hall was built in 1958, and allow use of a single network installed in 1999 and routinely updated, which will lower costs;
- 10) The new system utilizes a converged voice, video, and data network requiring special cabling that allow simple removal of the components of the system and installation in a new location;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council acknowledges the improvements as listed above and based on that information, hereby, approves the Installment Purchase Financing of Telephone System.

By Councilmember Wood

Motion Carried

RESOLUTION#348

BY THE COMMITTEE ON WAYS & MEANS
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

That the following FY 2008 transfer be approved:

Forfeiture Fund
REACH Drug Law Enforcement

AMOUNT TO TRANSFER	TRANSFER FROM ACCOUNT #	TRANSFER TO ACCOUNT #
\$ 2,500.00	REACH – Vehicles 265 343254 970000	
\$ 2,500.00		REACH – Miscellaneous Operating 265 343254 710000

(To provide for payment of final FY07 bills in the miscellaneous operating account).

By Councilmember Wood

Motion Carried

RESOLUTION#349

BY THE COMMITTEE ON WAYS & MEANS
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

That the following FY 2008 transfer be approved:

AMOUNT TO TRANSFER	TRANSFER FROM ACCOUNT #	TRANSFER TO ACCOUNT #
\$65,000.00	Infrastructure – Donations – Parks Dept 410 000000 675003.00000	
\$3,000.00		Infrastructure – Mt Hope Cemetery Fence 410 933890 974000 43970
\$62,000.00		Infrastructure – Mt Hope Lower Basin 410 933890 974000 43980

(Donation received from the Fratcher Foundation to be used at Mt. Hope Cemetery. Donation to be used partially (\$3,000) toward the fencing project at Mt. Hope Cemetery, and the balance (\$62,000) for improvements to the Lower Basin. The proposal to the Fratcher Foundation called for a budget of \$30,000 for development of a conceptual plan for the lower basin, and a budget of \$32,000 for preliminary site preparations.)

Be it Further Resolved that proceeds from the sale of the existing sections of fence be placed in an appropriate fund to be allocated within the Park Department.

By Councilmember Wood

Motion Carried

RESOLUTION#350

BY THE COMMITTEE ON WAYS AND MEANS
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Parks & Recreation has not operated the outdoor ice rink at Washington Park for 2 years nor have funds been expended for such rink for Fiscal Year 2007 or 2008; and

WHEREAS, the hockey boards for the outdoor rink purchased in 1975 are in need of repairs; and

WHEREAS, the City of Charlotte has offered to purchase the boards and as a community project make the needed repairs for use as a rink; and

WHEREAS, the City of Charlotte would flood and maintain a natural rink next to a fire station; and

WHEREAS, the City of Charlotte has offered to disassemble and transport the boards at their expense; and

WHEREAS, the City of Charlotte has offered the City of Lansing the fair market value of \$2,000 for the boards;

NOW, THEREFORE, BE IT RESOLVED that the City Council authorizes the sale of the outdoor rink boards to the City of Charlotte for \$2,000;

BE IT FURTHER RESOLVED that the boards shall be used for the stated public intent by the City of Charlotte;

BE IT FINALLY RESOLVED that the proceeds from the sale of the boards be allocated to the Park Department for use at Edmore Park.

By Councilmember Wood

Motion Carried

RESOLUTION#344

BY THE COMMITTEE ON GENERAL SERVICES
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the City of Lansing Public Service Department will be separating the combined sewers and other infrastructure improvements in the CSO 013 Northwest Project Area, which is bounded by Carrier Street on the northside, Turner Street (between Carrier Street and Jackson Street) on the eastside, Howe Avenue (west of Turner Street) on the southside, and Jones Lake and Hi-Ball Crane property on the Westside; and

WHEREAS, Six-S, Inc. will perform construction activities in the CSO 013 Northwest Project Area and has requested a waiver of the noise ordinance to allow construction activities on Saturdays from 8:00 a.m. to 5:00 p.m.; and

WHEREAS, it is in the best interest of the affected property owners and the City of Lansing to assure that the project is kept on schedule; and

WHEREAS, by allowing the contractor to work on Saturdays from 8:00 a.m. to 5:00 p.m., it would help to meet the time schedule in the Fiscal Year 2007 Construction Season;

WHEREAS, a public hearing was held at the Lansing City Council meeting on Monday, August 6, 2007, in consideration of this request;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council approves the waiver of the noise ordinance to allow Six-S, Inc. to perform construction activities in the FY 2007 construction season in the CSO 013 Northwest Project Area on Saturdays from 8:00 a.m. to 5:00 p.m. through November 15, 2007.

By Councilmember Jeffries to reconsider the vote by which the resolution was not adopted

Motion Carried

The question being the motion to place an affirmative role on the resolution

Motion Carried

REPORTS FROM COUNCIL COMMITTEES

RESOLUTION#351

REPORT OF THE COMMITTEE

THE COMMITTEE OF THE WHOLE met on August 16, 2007, at which time Mayor Bernero presented his "Crime-Fighting Plan" and provided Council with a bullet point outline of his recommendations.

One of the components of this plan was "Enhanced enforcement of Commercial Code to clean up deteriorating commercial properties." The City Council over the last several years has made the enactment of a Commercial Code a priority, as incorporated in the Budget Priorities

documents transmitted to the Mayor in preparation of his presentation of the City's Budget.

In discussing this portion of the Mayor's plan with the Director of Planning and Neighborhood Development, one of the key elements to enacting a Commercial Code is enforcement of the Code. Currently, the Building Safety Division of the Planning and Neighborhood Development Department has three inspectors. One inspector is solely assigned to the Sparrow Hospital extension and two are responsible for all other building permits along with the sign ordinance.

The Lansing City Council strongly requests that the Mayor ask Council to create and fund through General Fund Reverses a new position, who would be solely responsible for the inspection of commercial properties, as soon as possible. We believe taking aggressive action in hiring an inspector to work exclusively with commercial "blight" in the City of Lansing in turn would reduce crime.

By the Committee of the Whole

Signed: Harold Leeman, Chair
Brian Jeffries, Vice Chair

By Councilmember Jeffries

To adopt this Committee Report

Motion Carried

ORDINANCES FOR INTRODUCTION

INTRODUCTION OF ORDINANCE

AMEND CHAPTER 804, SECTIONS 804.01 AND 804.02

By Councilmember Kaltenbach, Chair of the Committee on General Services

That:

An Ordinance of the City of Lansing to amend Chapter 804, Sections 804.01 and 804.02 of the Lansing Codified Ordinances by adding the definition of a problem alarm, disallowing the self installation of alarm systems, adding a penalty for alarm businesses that continue to notify the Police of alarms after having been given written notice to discontinue reporting calls from problem alarm sites

was introduced by Councilmember Kaltenbach, read a first and second time by its title and referred to the Committee of the Whole

RESOLUTION#352

RESOLUTION SETTING PUBLIC HEARING

By Councilmember Kaltenbach

RESOLVED BY THE CITY COUNCIL, CITY OF LANSING, that a public hearing be set for Monday, August 27, 2007 at 7:00 P.M. in the City Council Chambers, 10th Floor Lansing City Hall, 124 W. Michigan Ave., Lansing, MI for the purpose of considering an Ordinance of the City of Lansing to amend Chapter 804, Sections 804.01 and 804.02 of the Lansing Codified Ordinances by adding the definition of a problem alarm, disallowing the self installation of alarm systems, adding a penalty for alarm businesses that continue to notify the Police of alarms after having been given written notice to discontinue reporting calls from problem alarm sites

Interested Persons are invited to attend this Public Hearing

By Councilmember Kaltenbach

Motion Carried

ORDINANCES FOR PASSAGE

There were no Ordinances for Passage

**REPORTS FROM CITY OFFICERS, BOARDS, AND
COMMISSIONS;
COMMUNICATIONS AND PETITIONS;
AND OTHER CITY RELATED MATTERS**

By Councilmember Jeffries that all items be considered as being read in full and that President Leeman make the appropriate referrals

Motion Carried

• Reports from City Officers, Board and Commissions:

- a. Letter from the City Clerk submitting minutes of Boards and Authorities placed on file in the City Clerk's Office

RECEIVED AND PLACED ON FILE

- b. Letters from the Mayor re:

- i. Proposed Sign Ordinance Amendment – Capital Center District

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

- ii. Public Improvement IV; Sidewalk and Driveway for Haag Rd. from Miller Rd. to Martin Luther King Jr. Blvd. excepting all public streets and alleys and other lands deemed not benefited

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES

- iii. Public Improvement IV; Repair and Reconstruction of public sidewalks excepting all public streets and alleys and other land deemed not benefited in areas bounded by:

•Jolly Rd., Crocus Ave., Bluebell Dr. and S. Washington Ave. •Jolly Rd., Ballard Rd., Ingham St. and Fielding Dr. •Cavanaugh Rd., S. Pennsylvania Ave., Vernon Ave. and Parkway Blvd.

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES

- iv. Requesting a Public Hearing for 1013 Prospect St., Apt. 3 under Chapter 630 of the Lansing Codified Ordinances (Public Nuisance)

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

- v. Appointment of Jerry Ambrose as designee to serve on the City of Lansing/Charter Township of Lansing Liaison Committee regarding the extension of a sanitary sewer

RECEIVED AND PLACED ON FILE

- vi. External Audit Engagement Letter - LEPFA

REFERRED TO THE COMMITTEE ON WAYS AND MEANS AND INTERNAL AUDIT

• Communications and Petitions, and Other City Related Matters:

- a. Contract between the State of Michigan Department of Transportation and the City of Lansing for the extension of the existing dedicated left turn lane on the westbound Highway I-96 exit ramp to Highway M-99 (Martin Luther King Jr. Blvd); together with necessary related work

REFERRED TO THE CITY ATTORNEY

- b. Notice from the State of Michigan Public Service Commission of a public hearing for the gas customers of Consumers Energy Company Case U-14716-R to be held on August 29, 2007

RECEIVED AND PLACED ON FILE

- c. Notice from the Michigan Department of Environmental Quality of the issuance of Permit No. 07-33-0035-P to Mark Trent of 2309 Clifton Ave., to remove existing garage and construct new 12 ft. by 20 ft. unattached garage at grade, remove existing back porch and construct new 72 ft. by 8 ft. wide concrete driveway, construct a 14 ft. by 22 ft. addition on crawl space to back of home, 4 ft. by 4 ft. side entry porch and 4 ft. by 6 ft. rear entry porch, and remove existing front porch and construct new porch measuring 16 ft. by 6 ft.

REFERRED TO THE PLANNING AND DEVELOPMENT DEPARTMENT AND REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

- d. Michigan Tax Tribunal Appeals filed by Attorneys on behalf of Mokma Excavating, Inc. for personal property located at 500 E. Michigan Ave.

REFERRED TO THE COMMITTEE ON WAYS AND MEANS AND INTERNAL AUDIT AND REFERRED TO THE CITY ATTORNEY

- e. Letters from Comcast Cable re:

- i. Reminder of changes to Complimentary Video Accounts

RECEIVED AND PLACED ON FILE

- ii. Channel lineup changes effective September 18, 2007

RECEIVED AND PLACED ON FILE

- f. Petition submitted by residents of Friendship Manor containing twenty-nine (29) signatures requesting the installation of a traffic light at the intersection of Michigan Ave. and Friendship Cir.

REFERRED TO THE PLANNING AND DEVELOPMENT DEPARTMENT/TRANSPORTATION DIV. AND REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

- g. Letter from CATA regarding Neighborhood Enterprise Zone #21 for the Riverbend/Whitehall property

REFERRED TO THE PLANNING AND DEVELOPMENT DEPARTMENT AND REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

MOTION OF EXCUSED ABSENCE

By Councilmember Dunbar

To excuse Councilmembers Matt and Quinney from tonight's proceedings

Motion Carried

REMARKS BY COUNCILMEMBERS

Councilmember Kaltenbach stated that he is excited that the sign ordinance amendment has been introduced.

Councilmember Dunbar stated that she is in favor of the hiring of a commercial code officer. She stated that Jim and Amy Kraus, who are both employed with the City, own Alpha Training Center, a motorcycle safety school, and they are having an open house on Wednesday, August 22, 2007 from 11:30 a.m. to 1:30 p.m.

President Leeman thanked everyone who showed up for the Draw Down Clean Up event on Saturday. He stated that over 200 volunteers came out to help clean up the river. He said that Cavanaugh Road is now open and it looks wonderful. He stated that Fabulous Acres had the rededication of the Barb Dean Tot Lot this past Saturday.

**REMARKS BY THE MAYOR
OR EXECUTIVE ASSISTANT**

Jerry Ambrose, Executive Assistant to the Mayor, thanked Council for approving the financing for the new phone system. He said that there is a layout available for review of the A T & T Light Speed boxes for those interested in seeing them.

ADJOURNED TIME 9:08 P.M.

CHRIS SWOPE, CITY CLERK



**OFFICIAL PROCEEDINGS OF
THE CITY COUNCIL
CITY OF LANSING
PROCEEDINGS OF AUGUST 27, 2007**

City Council Chambers
Lansing, Michigan

The City Council of the City of Lansing met in regular session and was called to order at 7:00 p.m. by President Leeman.

PRESENT: Councilmembers Allen, Dunbar, Jeffries, Kaltenbach, Leeman, Matt, Quinney, Wood

ABSENT: None

The Council observed a moment of Meditation followed by the Pledge of Allegiance led by President Leeman.

APPROVAL OF MINUTES

By Councilmember Jeffries

To approve the printed Council Proceedings of August 20, 2007

Motion carried

CONSIDERATION OF LATE ITEMS

By Vice President Jeffries

To suspend City Council Rule #11 to allow for Consideration of Late Items

Motion carried

The following items were added to the agenda:

1. From Councilmember Jeffries; Electronic mail from Traci Gorman, Co-Chair of Shady Oaks Neighborhood Association regarding PRD-1-2007
2. From Councilmember Jeffries; Electronic mail from Rod Shangle, Secretary of Shady Oaks Neighborhood Association regarding PRD-1-2007
3. From Councilmember Leeman; Special Ceremony; Proclamation; Honoring Lansing Community College Women's Softball Team
4. From Councilmember Leeman; Special Ceremony; Presentation; REO Town Music Festival

TABLED ITEMS

1. Requiring the owners of property located at 3325 Felt St. to Make Safe or Demolish their property within sixty days of July 16, 2007

SPECIAL CEREMONIES

• Special Ceremonies

1. Proclamation; Honoring Juan "Tony" Noyola

Mayor Bernero stated that it is with a great deal of respect for his accomplishments that we offer words of praise as a memorial to Tony Noyola for his contributions to the City of Lansing and especially to all of the young people he had worked with over the years. He proclaimed August as "Juan Antonio 'Tony' Noyola Month."

Nancy Noyola thanked the City of Lansing for everything it has done in honoring her husband and stated that she didn't realize how many lives he had touched.

Murdoch Jemerson of the Lansing Parks Department acknowledged all of the friends and family of Tony Noyola in the audience and stated that everyone will miss him.

2. Proclamation; Declaring September 5, 2007 as Lansing Symphony Orchestra Day

The Lansing Symphony Orchestra played introductory music

Mayor Bernero stated that the Lansing Symphony Orchestra was founded in 1929 by Izler Solomon and they are celebrating their 78th year of existence. He said that the symphony's current home is at the Wharton Center on the campus of Michigan State University and he proclaims September 5, 2007 as "Lansing Symphony Orchestra Day."

David Gross thanked the Mayor and City of Lansing for their continued support of the Lansing Symphony Orchestra and he invited everyone to go to the Wharton Center on September 8, 2007 for the concert which kicks off the current season, entitled "Feel the Power." He also thanked the musicians present tonight.

Christopher Day was honored that the Symphony received this proclamation because it raises awareness of the Symphony in the city. He stated that he'd like to see everyone at the Symphony for a tremendous season.

The Symphony played a piece and Mayor Bernero introduced the members present

3. Proclamation; Honoring Lansing Community College Women's Softball Team

Mayor Bernero congratulated the Lansing Community College Lady Stars Softball Team for producing 46 All-Americans since 2000, for being recognized for the sixth time as an academic All-American team and for their 2007 record of 48-6. He proclaimed August 27, 2007 as "Lansing Community College Lady Stars Softball Team Day."

Bob Every stated that in order to be recognized as an academic All-American team, your team grade-point average must be 3.4 and above. He thanked everyone involved with the success of the teams over the years.

4. Presentation; REO Town Music Festival

Marcus McKissic, Executive Director of the REO Town Commercial Association gave an overview of this 3 day festival which occurs this Labor Day weekend in the 1100 block of S. Washington Ave. He stated that Friday there will be plenty of events for children, on Saturday the 70s band War will perform and on Sunday country artist Jason Michael Carroll is the headliner. Tickets are \$5 on Friday, \$15 on Saturday and Sunday and they can be purchased at locations such as the Cadillac Club, Meijer stores, and at

www.reotownmusicfestival.com.

COUNCILMEMBERS' COMMENTS AND CITY CLERK'S ANNOUNCEMENTS:

Councilmember Allen spoke about the storms last week and how residents of the 2nd Ward and 3rd Ward were affected and stated that they are still trying to recover. She asked the Mayor about efforts to help citizens clean up.

Mayor Bernero stated that the Public Service Department requests that citizens bundle their brush into acceptable sizes and put them by the curb.

Councilmember Allen asked the Mayor to reconsider the size requirement for bundling of brush.

Councilmember Kaltenbach stated that Carol Nakfoor called him to compliment Maynard Brown and Cynthia Jackson of the Public Service Department for their clean-up work in front of her home and their dedication to Lansing Citizens.

Councilmember Dunbar spoke about the Churchill Downs Picnic and the Southside Showcase and how each was a successful event. She thanked the city Human Relations Department for putting together an excellent City Employee picnic. She announced that Neighborhood Organizations of Michigan's annual conference will be held in Lansing this year and the Radisson Hotel on the 28th and 29th of September. She encouraged Lansing's neighborhood groups to attend and stated that scholarships are available for the approximately \$95 registration fee and more information can be obtained by calling 374-5700.

Councilmember Wood congratulated Southside Boys and Girls League whose award picnic is tonight at 5 p.m. at Francis Park. All participating boys and girls receive an award at this dinner. She stated that she has been involved with this program for the last five years and is proud of the fact that children can get sponsored and not have to pay to play. She announced that the Coachlight Neighborhood Association will be meeting at 6 p.m. on Tuesday at the church on the corner of Waverly and Miller Rd.

Councilmember Matt congratulated and thanked all of the citizens and city employees who worked during the Draw Down Clean Up river event and encouraged all citizens to get involved in the continual cleanup of the Grand River.

City Clerk Swope reminded everyone that next week's City Council Meeting will be held on Thursday, September 6, 2007 at 1:30 p.m. due to next Monday's observance of Labor Day. Clerk Swope also announced that photo identification will be required by state law to vote in at the polls starting with the city General Election in November. He stated that several types of photo I.D. would be acceptable, including State issued driver's licenses, passports, school I.D.s, etc. Those citizens without photo I.D. on Election Day will have to sign affidavits attesting to not having photo I.D. or have it with them, and that they are who they say they are.

SPEAKER REGISTRATION FOR PUBLIC COMMENT

(Clerk Swope announced that the public comment registration form(s) for those intending to address Council on legislative or City government matters will be collected and that only those persons who have fully completed the form(s) will be permitted to speak.)

MAYOR'S COMMENTS

Mayor Bernero spoke about the storms and tornados in Lansing last week. He stated that he was proud of all the Lansing City departments and other local municipalities for their response to this situation. He spoke about Act 99 Funding for LPD Video Surveillance Project and the

benefits of the cameras and encouraged the City Council to act swiftly in enacting this Resolution. He spoke about his meeting with an ambassador from Kenya. He spoke about a partnership between the Board of Water and Light and the Granger Company for renewable energy. He spoke about the city employee picnic. He spoke about various events held in Lansing over the past weekend. He spoke about the REO Town Music Festival.

Councilmember Wood stated concerns from citizens about street paving and markings, and she stated concerns about being informed from the emergency response system.

Councilmember Quinney spoke about contributions of the labor movement to the United States.

SHOW CAUSE HEARINGS

- Comment on Scheduled Show Cause Hearings:

There were no Show Cause Hearings

PUBLIC COMMENT ON LEGISLATIVE MATTERS

- Public Comment on Legislative Matters:

Legislative Matters included the following public hearings:

1. In consideration of Public Improvement III; Sidewalk Repair for an area bounded by Oakland Avenue, North Washington Avenue, Willow St., North Grand River Ave. and Seymour Ave. and also the south side of Ionia St. from N. Martin Luther King Jr. Blvd. to Pine St., excepting all public streets and alleys and other lands deemed not benefited
2. In consideration of Z-2-2007; 6040 S. Martin Luther King Jr. Blvd., Besco Water Treatment, Inc., providing for rezoning from "A" Residential to "E-2" Local Shopping District
3. In consideration of Z-3-2007; Vacant Lot east of 401 Fenton St., Frazier Builders, providing for rezoning from "F" Commercial to "A" Residential
4. In consideration of an Ordinance of the City of Lansing to amend Chapter 804, Sections 804.01 and 804.02 of the Lansing Codified Ordinances by adding the definition of a problem alarm, disallowing the self installation of alarm systems, adding a penalty for alarm businesses that continue to notify the Police of alarms after having been given written notice to discontinue reporting calls from problem alarm sites

Councilmember Dunbar gave a brief overview of Public Hearing #1.

Councilmember Jeffries and a brief over view of Public Hearings #2 and #3.

Councilmember Kaltenbach gave a detailed overview of Public Hearing #4.

Dru Vinson of 606 S. Fairview Ave. spoke in opposition to the Public Improvement III.

John Pollard of 1718 Blair St. Spoke in support of Z-2-2207 and Z-3-2007 and he spoke in opposition to the Public Improvement III and the Alarm Ordinance amendment.

Darnell E. Oldham, Sr. of 3815 Berwick Dr. spoke in opposition to the Public Improvement III and the Alarm Ordinance amendment.

Christine Timmon of 2519 S. Washington Ave. spoke in opposition to the Public Improvement III and the Alarm Ordinance amendment. She also spoke about the appointment of Peter Kramer to the Board of Water & Light.

Sharon Burton of 120 W. Willow St. spoke on behalf of her mother, Mary McInturff of 1235 N. Washington Ave. in support of sidewalk repair.

Don Dean of 1321 E. North St. spoke in support of the Public Improvement III and in opposition to the Alarm Ordinance amendment.

Willy Williams of P.O. Box 11042 spoke in support of the Public Improvement III and of the appointment process for board vacancies.

REFERRAL OF PUBLIC HEARINGS

1. In consideration of Public Improvement III; Sidewalk Repair for an area bounded by Oakland Avenue, North Washington Avenue, Willow St., North Grand River Ave. and Seymour Ave. and also the south side of Ionia St. from N. Martin Luther King Jr. Blvd. to Pine St., excepting all public streets and alleys and other lands deemed not benefited

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES

2. In consideration of Z-2-2007; 6040 S. Martin Luther King Jr. Blvd., Besco Water Treatment, Inc., providing for rezoning from "A" Residential to "E-2" Local Shopping District

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

3. In consideration of Z-3-2007; Vacant Lot east of 401 Fenton St., Frazier Builders, providing for rezoning from "F" Commercial to "A" Residential

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

4. In consideration of an Ordinance of the City of Lansing to amend Chapter 804, Sections 804.01 and 804.02 of the Lansing Codified Ordinances by adding the definition of a problem alarm, disallowing the self installation of alarm systems, adding a penalty for alarm businesses that continue to notify the Police of alarms after having been given written notice to discontinue reporting calls from problem alarm sites

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

PUBLIC COMMENT

ON CITY GOVERNMENT RELATED MATTERS:

William Hubbell of 3916 Wedgewood Dr. spoke about intergovernmental relations.

Dale Abronowitz of 1811 Sunset Ave. spoke about various city matters.

Kathy Tobe of 4030 Clayborn Rd. spoke in support of the LPD Video Surveillance Project.

Robert Nordhoek of 3640 Sawgrass Cir. spoke in support of the LPD Video Surveillance Project.

Clyde Carnegie of 1616 W. Michigan Ave. spoke in support of the LPD Video Surveillance Project.

Dru Vinson of 606 S. Fairview Ave. spoke in opposition to the LPD Video Surveillance Project.

Gary Bodiford of 1120 N. Jenison Ave. spoke about various city matters.

Dr. Ed Benson of 214 Cloverland Dr. spoke in support of the LPD Video Surveillance Project.

Jan Kolp of 2828 Forest Rd. spoke in support of the LPD Video Surveillance Project.

Joan Nelson of 217 Rosamond St. spoke in support of the LPD Video Surveillance Project.

Julee Rodocker of 4909 Devonshire Ave. spoke in support of the LPD Video Surveillance Project.

John Pollard of 1718 Blair St. spoke about various city matters.

Darnell E. Oldham Sr. of 3815 Berwick Dr. spoke about various city matters.

Russell Terry of 121 E. Mt. Hope Ave. spoke about the recycling fee refund he is to receive through Resolution #341 adopted 8-20-07.

Frank S. Curtis X of 1137 W. Allegan St. spoke about various city matters.

Christine Timmon of 2519 S. Washington Ave. spoke about various city matters.

Teresa Pierce of 2225 Webster St. spoke about the Code Compliance Office.

Don Dean of 1321 E. North St. spoke about Oakland Ave.

Linda Appling of 4010 Thackin Dr. spoke about the potential Hunter's Ridge rezoning.

Willy Williams of P.O. Box 11042 spoke about various city matters.

Charlene Decker of 2711 Pleasant Grove Rd. spoke about various city matters.

LEGISLATIVE MATTERS

RESOLUTIONS

RESOLUTION#353

BY THE COMMITTEE OF THE WHOLE
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Mayor appointed of Peter Kramer of 1701 Nottingham Road, Lansing, Michigan 48911 to fill the At-Large position on the Lansing Board of Water and Light for a term to expire June 30, 2011; and

WHEREAS, Peter Kramer was interviewed at the Committee of the Whole meeting on August 23, 2007;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council, hereby, confirms the appointment of Peter Kramer to fill the vacant At-Large seat on the Board of Water and Light for a term to expire June 30, 2011.

By Councilmember Jeffries

Motion Carried

REPORTS FROM COUNCIL COMMITTEES

There were no Committee Reports

ORDINANCES FOR INTRODUCTION

There were no Ordinances for Introduction

ORDINANCES FOR PASSAGE

There were no Ordinances for Passage

**REPORTS FROM CITY OFFICERS, BOARDS, AND
COMMISSIONS;
COMMUNICATIONS AND PETITIONS;
AND OTHER CITY RELATED MATTERS**

By Councilmember Jeffries that all items be considered as being read in full and that President Leeman make the appropriate referrals

Motion Carried

- Reports from City Officers, Board and Commissions:

- a. Letter from the City Clerk submitting minutes of Boards and Authorities placed on file in the City Clerk's Office

RECEIVED AND PLACED ON FILE

- b. Letters from the Mayor re:
 - i. Transfer of Funds; Police Administration, Donations - Contributions

REFERRED TO THE COMMITTEE ON WAYS AND MEANS AND INTERNAL AUDIT

- ii. Z-4-2007; Vacant Lot, Trudy Ln., Petition for rezoning from "A" Residential District to "C" Residential District filed by Robert Beagan for the purpose of constructing a duplex

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

- iii. SLU-2-2007; 3215 W. Mt. Hope Ave., Special Land Use Permit to allow for a Telecommunications Tower

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

- iv. ACT-13-2007; 1215 E. Mt. Hope Ave., Application for Sidewalk Easement and Use Right-of-Way filed by DLZ Michigan, Inc. on behalf of the Lansing School District for a bus/parent pick-up and drop-off lane

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

- v. Z-6-2007 & PRD-2-2007; Vacant land on the west end of Hunter's Ridge Dr., Petition for rezoning from "CUP" Community Unit Plan to "A" Residential District and Petition for Planned Residential Development filed by DuRay Development, LLC for

the purpose of constructing 123 single family detached condominium units

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

- vi. Act 99 Funding for LPD Video Surveillance Project

REFERRED TO THE COMMITTEE ON WAYS AND MEANS AND INTERNAL AUDIT

- Communications and Petitions, and Other City Related Matters:

- a. Letter from the State of Michigan Department of Labor & Economic Growth Liquor Control Commission (MLCC) providing a 15 Day Notice of an application filed by Ganpat, Inc. requesting to Transfer Ownership of 2007 SDD and SDM licensed business located at 4013 Aurelius Rd. from GKRA, Inc.

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

- b. Letter from the State of Michigan Department of Labor and Economic Growth requesting revisions to the Proposed Amended Plat of Lots 7 and 8, Maple Grove Farms No. 1, Section 6, T03N, R02W

REFERRED TO THE PLANNING AND DEVELOPMENT DEPARTMENT AND REFERRED TO THE CITY ATTORNEY

- c. Letter from the State of Michigan Department of Labor and Economic Growth requesting revisions to the Proposed Amended Plat of Part of Lots 22 and 23, Maple Grove Farms No. 1, Section 6, T03N, R02W

REFERRED TO THE PLANNING AND DEVELOPMENT DEPARTMENT AND REFERRED TO THE CITY ATTORNEY

- d. Contract between the State of Michigan Department of Transportation and the City of Lansing for:

- Part A – Non-motorized pathway work from the intersection of Mt. Hope Rd. and Aurelius Rd. southwesterly to Scott Woods Park; including boardwalk and prefabricated bridges work; and all together with necessary related work
- Part B – Contractor staking work for the non-motorized pathway as described in Part A; and all together with necessary related work
- Part C – Non-motorized pathway work from the intersection of Cavanaugh Rd. and Sycamore Creek southeasterly to the intersection of Jolly Rd. and Aurelius Rd; including boardwalks and prefabricated bridges work; and all together with necessary related work
- Part D – Contractor staking work for the non-motorized pathway as described in Part C; and all together with necessary related work

REFERRED TO THE PLANNING AND DEVELOPMENT DEPARTMENT AND REFERRED TO THE CITY ATTORNEY AND REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

- e. Electronic mail from Traci Gorman, Co-Chair of Shady Oaks Neighborhood Association regarding PRD-1-2007

*SUSPENSION ITEM-REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

- f. Electronic mail from Rod Shangle, Secretary of Shady Oaks Neighborhood Association regarding PRD-1-2007

*SUSPENSION ITEM-REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

REMARKS BY COUNCILMEMBERS

Councilmember Leeman spoke about the Mayor's request for Act 99 Funding for LPD Video Surveillance Project and the committee process involved. He reminded everyone that the next City Council meeting will be held on Thursday, September 6, 2007 at 1:30 p.m. due to the Labor Day holiday.

ADJOURNED TIME 9:57 P.M.

CHRIS SWOPE, CITY CLERK



**OFFICIAL PROCEEDINGS OF
THE CITY COUNCIL
CITY OF LANSING
PROCEEDINGS OF SEPTEMBER 6, 2007**

City Council Chambers
Lansing, Michigan

The City Council of the City of Lansing met in regular session and was called to order at 1:30 p.m. by President Leeman.

PRESENT: Councilmembers Allen, Dunbar, Jeffries, Kaltenbach, Leeman, Matt, Wood

ABSENT: Councilmember Quinney (arrived at 2:24 p.m.)

The Council observed a moment of Meditation followed by the Pledge of Allegiance led by President Leeman

APPROVAL OF MINUTES

By Councilmember Jeffries

To approve the printed Council Proceedings of August 27, 2007

Motion carried

CONSIDERATION OF LATE ITEMS

By Vice President Jeffries

To suspend City Council Rule #11 to allow for Consideration of Late Items

Motion carried

The following items were added to the agenda:

1. From Councilmember Dunbar; Public Improvement IV; Sidewalk, Curb and Gutter and necessary storm drainage improvements for Haag Rd. from Miller Rd. to Martin Luther King Jr. Blvd. excepting all public streets and alleys and other lands deemed not benefited
2. From Councilmember Dunbar; Public Improvement IV; Repair and Reconstruction of public sidewalks excepting all public streets and alleys and other land deemed not benefited in areas bounded by: ●Jolly Rd., Crocus Ave., Bluebell Dr. and S. Washington Ave. ●Jolly Rd., Ballard Rd., Ingham St. and Fielding Dr. ●Cavanaugh Rd., S. Pennsylvania Ave., Vernon Ave. and Parkway Blvd.
3. From Councilmember Allen; Tribute; Kendon Drive Church of the Nazarene

TABLED ITEMS

1. Requiring the owners of property located at 3325 Felt St. to Make Safe or Demolish their property within sixty days of July 16, 2007

SPECIAL CEREMONIES

- Special Ceremonies

There were no Special Ceremonies

COUNCILMEMBERS' COMMENTS AND CITY CLERK'S ANNOUNCEMENTS:

Councilmember Wood announced that the Genesee Neighborhood Association's monthly meeting will be held tonight at 7:00 p.m. at Grace Lutheran Church located at 528 N. Martin Luther King Jr. Blvd.

Councilmember Matt spoke about the storm damage to the south side. He acknowledged the neighbors and family members that helped clear brush from properties. He stated that anyone needing further assistance can call his office phone, 483-4191, as he is personally willing to help citizens in need. He spoke about September being National Preparedness Month. He stated that citizens should visit www.ready.gov to help in the preparation of an emergency plan.

Councilmember Dunbar congratulated everyone involved with the REO Town Music Festival. She stated that the event was well attended, the food was great and that it was nice to see so many local acts.

Councilmember Leeman announced that the Annual Ox Roast at Resurrection Church would take place this Friday, Saturday, and Sunday.

City Clerk Swope thanked the organizers of Fellowship in the Park for their event this past weekend. He reminded everyone that photo identification will be required by state law to vote in at the polls starting with the City General Election in November. He stated that State Identification can be obtained in order to vote.

Councilmember Wood asked City Clerk Swope to check on the requirements and fees associated with State Identification.

SPEAKER REGISTRATION FOR PUBLIC COMMENT

(Clerk Swope announced that the public comment registration form(s) for those intending to address Council on legislative or City government matters will be collected and that only those persons who have fully completed the form(s) will be permitted to speak.)

MAYOR'S COMMENTS

Jerry Ambrose, Executive Assistant to the Mayor, followed up on Councilmember Matt's comments regarding the storm damage to Lansing's south side. He announced that flyers providing more information will be distributed in affected areas. He stated that the Administration has asked the Governor to issue an emergency declaration, which would allow for loan assistance to residents and businesses; total damages are estimated to exceed one million dollars. He welcomed the new City Assessor, Maria Irish.

SHOW CAUSE HEARINGS

- Comment on Scheduled Show Cause Hearings:

There were no Show Cause Hearings

PUBLIC COMMENT ON LEGISLATIVE MATTERS

• Public Comment on Legislative Matters:

Legislative Matters included the following public hearings:

There were no Public Hearings

John Pollard of 1718 Blair St. spoke in opposition to PRD-1-2007 and both Public Improvement IV's on the agenda. He also spoke in support of Councilmember Jeffries being appointed to the City of Lansing and Charter Township of Lansing Liaison Committee

Christine Timmon of 2519 S. Washington Ave. spoke in support of Councilmember Jeffries being appointed to the City of Lansing and Charter Township of Lansing Liaison Committee and she questioned the Transfer of Funds on the agenda

Councilmember Jeffries left the meeting

Charlene Decker of 2711 Pleasant Grove Rd. spoke in opposition to the proposed police cameras in the city and suggested that the money should be used to hire more police officers

Jack Zuk of 5226 Bunker Rd., Mason, MI spoke in support of PRD-1-2007

Dru Vinson of 606 S. Fairview Ave. spoke in support of Councilmember Jeffries being appointed to the City of Lansing and Charter Township of Lansing Liaison Committee

**PUBLIC COMMENT
ON CITY GOVERNMENT RELATED MATTERS:**

Frank S. Curtis X of 1137 W. Allegan St. spoke about various city matters.

Stan Shuck of 818 Cooper Ave. spoke about various city matters.

Dale Abronowitz of 1811 Sunset Ave. spoke about various city matters.

Gary Bodiford of 1120 N. Jenison Ave. spoke about various city matters.

Harold King of 1563 N. High St. spoke about various city matters.

John Pollard of 1718 Blair St. spoke about various city matters.

Christine Timmon of 2519 S. Washington Ave. spoke about various city matters.

Charlene Decker of 2711 Pleasant Grove Rd. spoke about various city matters.

Councilmember Quinney arrived at the meeting at 2:24 p.m.

Dru Vinson of 606 S. Fairview Ave. spoke about various city matters.

LEGISLATIVE MATTERS

RESOLUTIONS

RESOLUTION#354

BY COUNCILMEMBER SANDY ALLEN
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, in 1936, Reverend E. A. Bowser established a church known as the South Side Mission in an old store building near Donora and Riley Streets; and

WHEREAS, the church was organized with fourteen Chartered Members on June 6, 1937 by District Superintendent, R.V. Starr and renamed the Nazarene Tabernacle; and

WHEREAS, the name of the church went through a number of name changes from the Nazarene Tabernacle in 1937; to Crammond Church of the Nazarene in 1939, named after the second pastor, Mrs. C.C. Crammond; and again in 1940 to the Mount Hope Church of the Nazarene and remained so until 1959; and

WHEREAS, Reverend Lowell Malliett, the ninth pastor, channeled his efforts in preparing the church for new growth by purchasing land on Kendon Drive from the Lansing School District in 1957; and

WHEREAS, the church, now known as Kendon Drive Church of the Nazarene, celebrated their growth by its dedication in 1961; and

WHEREAS, an outreach program and day care were established by G. Ray Reglin that provided a safe environment for children for the next thirty years as well as financial support; and

WHEREAS, Pastor Thomas Luttrell's hard work, business knowledge, and faith were the catalyst for the success of the Kendon Drive Church of the Nazarene; and

WHEREAS, on September 8th and 9th, 2007, the Kendon Drive Church of the Nazarene will celebrate its 70th Anniversary.

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby extends its warmest wishes to the Kendon Drive Church of the Nazarene Pastor and congregation. We wish you continued success!

By Councilmember Allen

Motion Carried

RESOLUTION#355

BY THE COMMITTEE ON DEVELOPMENT AND PLANNING
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

PRD-1-2007

Planned Residential Development - Westwood Avenue

WHEREAS, Bronte'Construction LLC is requesting approval of a Planned Residential Development for a 7.11 acre parcel of property located at the north end of Westwood Avenue, in the "A" Residential District, to develop 3 single family condominium units; and

WHEREAS, there is an existing 6-bed residential care facility on the subject property that will become one of the condominium units; and

WHEREAS, the Planning Board held a public hearing for the Planned Residential Development permit on May 1, 2007, where the applicant spoke in favor and three area residents of the Shady Oak Neighborhood stated opposition to the proposal, expressing concerns regarding the quality of the proposed development and its impact on traffic and neighborhood property values; and

WHEREAS, the Planning Board reviewed the petition at their meeting of June 5, 2007 and found that the Planned Residential Development, with conditions, meets the criteria set forth in §1280.02(e) and §1282.02(f) of the *Zoning Code*; based on testimony, evidence, and the staff report; and

WHEREAS, the Planning Board after review of the petition at their meeting of June 5, 2007, voted unanimously (4-0) to recommend approval of PRD-1-07; and

WHEREAS, the City Council held a public hearing on August 20, 2007, ~~at which the applicant spoke in favor and 4 person spoke in opposition to the petition;~~ and

WHEREAS, the City Council Committee on Development & Planning has reviewed the request in accordance with the criteria described in Section 1282.02(f) and the report of the Planning Board and concurs therewith;

NOW, THEREFORE, BE IT RESOLVED that the City Council hereby approves the Planned Residential Development request (PRD-1-07), to permit the development of 3 new single family condominiums at the north end of Westwood Avenue as depicted on the site plan dated April 3, 2007, with the following conditions:

1. The design of the street fit with the character of the neighborhood which would be hard-surfaced but without curb, gutter and sidewalks.
2. The buildings be designed so that the garages do not project closer to the street than the front wall of the houses.
3. An unreasonable or inordinate amount of noise that is not typical of residential construction be prohibited; dust from construction be controlled and the streets kept free of construction debris including dirt and clay, and cleaned as needed.
4. Street trees be provided as required by city ordinance.
5. Pedestrian style/scale street lights be installed.
6. A ten (10) foot ~~barrier-free~~ easement be provided to access Horsebrook Park.
7. The sanitary sewer, storm sewer and water service not extend beyond the three units to be developed, except as otherwise required by the Public Service Department, Drain Commissioner's Office and Board of Water & Light.

By Councilmember Allen

To place an affirmative roll on the resolution

By Councilmember Dunbar

To amend the resolved clause by striking "barrier-free" from the sixth condition

Motion Carried

By Councilmember Dunbar

To amend the sixth Whereas clause after "2007" by striking the balance of the clause

Motion Carried

The question being the motion to place an affirmative role on the resolution

Motion Carried

RESOLUTION#356

BY COMMITTEE ON DEVELOPMENT AND PLANNING
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

**Act-13-07, 1215 E. Mt. Hope Avenue
Sidewalk Easement & Use of Public Right-of-Way**

WHEREAS, DLZ Michigan Inc., on behalf of the Lansing School District, has requested approval to utilize the city right-of-way on Harding Avenue, directly east of 1215 E. Mt. Hope Avenue, for a bus/parent pick-up and drop-off lane; and

WHEREAS, use of the right-of-way will result in the city sidewalk being relocated on the School District property at 1215 E. Mt. Hope Avenue; and

WHEREAS, the School District is offering an easement to the City of Lansing, legally described as:

Commencing at the south one quarter corner of Section 22, T4N, R2W, thence Westerly along the South line of said Section North 89 degrees, 48 minutes, West 245 feet; thence North 00 degrees, 27 minutes, East 33 feet to the intersection of the North right-of-way line of Mt. Hope Avenue (66 feet wide) and West right-of-way line of Harding Avenue (50 feet wide); thence continuing along the West right-of-way line of Harding Avenue, North 00 degrees, 27 minutes, East 132.57 feet, to the point of beginning; thence North 89 degrees, 33 minutes, West 6 feet; thence North 00 degrees, 27 minutes, East 380 feet; thence South 89 degrees, 33 minutes, East 6 feet, to a point South of the West right-of-way line of Harding Avenue, being distant South 00 degrees, 27 minutes, West 65.43 feet from the intersection of the South right-of-way of Pershing Avenue and the West right-of-way line of Harding Avenue; thence continuing along the West right-of-way of Harding Avenue, South 00 degrees, 27 minutes, West 380 feet, the point of beginning. Containing 2,280 square feet (0.052 acres more or less).

for the public sidewalk; and

WHEREAS, on August 21, 2007, the Planning Board reviewed the request through its Act 285 procedures, and found, based on testimony and evidence that:

1. The buses currently load and unload in the Harding Avenue travel lane and parents currently pick-up and drop off children in the Harding Avenue and Shubel Avenue travel lanes. The proposal will create a safer environment for the elementary school students by providing a bus lane and a lane for parents that are outside of the travel lane; and
2. The proposal will reduce traffic congestion in the area by separating the pick up and drop-off activities of the school from other traffic on Harding and Shubel Avenues.

WHEREAS, the site plan for the bus/parent pick-up and drop-off lane and for the sidewalk relocation has already been approved by all relevant city department and the Board of Water & Light; and

WHEREAS, on August 21, 2007, the Planning Board unanimously (5-0) recommended approval of Act-13-07, to permit the use of the Harding Avenue right-of-way, east of 1215 E. Mt. Hope Avenue to be used for a bus/parent pick-up and drop-off lane and to accept an easement for the relocation of the city sidewalk; and

WHEREAS, the Committee on Development and Planning reviewed the report and recommendation of the Planning Board, and concurs therewith;

NOW, THEREFORE BE IT RESOLVED that the Lansing City Council hereby approves Act-13-07 and grants authorization to the Lansing School District to construct a pick-up and drop-off lane in the Harding Avenue road right-of-way, as depicted on the plans dated 7/9/07.

BE IT FURTHER RESOLVED that the Lansing City Council accepts the easement, legally described as:

Commencing at the south one quarter corner of Section 22, T4N, R2W, thence Westerly along the South line of said Section North 89 degrees, 48 minutes, West 245 feet; thence North 00 degrees, 27 minutes, East 33 feet to the intersection of the North right-of-way line of Mt. Hope Avenue (66 feet wide) and West right-of-way line of Harding Avenue (50 feet wide); thence continuing along the West right-of-way line of Harding Avenue, North 00 degrees, 27 minutes, East 132.57 feet, to the point of beginning; thence North 89 degrees, 33 minutes, West 6 feet; thence North 00 degrees, 27 minutes, East 380 feet; thence South 89 degrees, 33 minutes, East 6 feet, to a point South of the West right-of-way line of Harding Avenue, being distant South 00 degrees, 27 minutes, West 65.43 feet from the intersection of the South right-of-way of Pershing Avenue and the West right-of-way line of Harding Avenue; thence continuing along the West right-of-way of Harding Avenue, South 00 degrees, 27 minutes, West 380 feet, the point of beginning. Containing 2,280 square feet (0.052 acres more or less).

for the city sidewalk along Harding Avenue, east of 1215 E. Mt. Hope Avenue.

BE IT FURTHER RESOLVED, that the Mayor, on behalf of the City, is hereby authorized to sign and execute all documents necessary to effectuate the Sidewalk Easement, subject to their prior approval as to form by the City Attorney.

BE IT FINALLY RESOLVED that upon the execution of said easement, the City Clerk is directed to record all necessary documents pertaining to this transaction with the Ingham County Register of Deeds, and upon return, transmit a copy of the recorded resolution to the Department of Public Service, the Planning and Assessor's Offices, and to the applicant.

By Councilmember Allen

Motion Carried

RESOLUTION#357

BY THE COMMITTEE ON GENERAL SERVICES
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Mattie Blair sought to eliminate the special assessment in the amount of \$316.55 and all associated penalties and interest placed on the property tax bill involving a grass and weeds violation on the property at 1028 McCullough Street; and

WHEREAS, the General Services Committee met on August 27, 2007 and learned that Mattie Blair verbally withdrew her claim;

NOW, THEREFORE, BE IT RESOLVED that the City Council, hereby, denies the claim of Mattie Blair on a special assessment in the amount of \$316.55 and all associated penalties and interest placed on the property tax bill involving a grass and weeds violation on the property at 1028 McCullough Street;

BE IT FURTHER RESOLVED that the City Attorney shall take the appropriate steps to process this claim.

By Councilmember Kaltenbach

Motion Carried

RESOLUTION# 358

BY THE COMMITTEE ON PUBLIC SERVICES
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

PUBLIC IMPROVEMENT IV

WHEREAS, pursuant to resolution #317 adopted by this council on August 6, 2007 the City Assessor held a public hearing on August 20, 2007, for Assessment Roll #G391 and;

PROJECT TITLE:

PS# 75125,
Haag Road, Miller Road to Martin
Luther King Jr. Boulevard

PROPERTY BENEFITTED

SIDEWALK:

All lands fronting on Haag Road from
Miller Road to Martin Luther King Jr.
Boulevard, excepting all public streets
and alleys and other land deemed not
benefited.

DRIVEWAY:

All lands fronting on Haag Road, from
Miller Road to Martin Luther King Jr.
Boulevard excepting all public streets
and alleys and other land deemed not
benefited.

COST OF IMPROVEMENTS:

		City & Federal Contribution	Assessable to Property Owner
Haag Road	New Sidewalk Costs	\$23,647.13	\$18,555.27
	Concrete Driveway Costs	\$32,250.76	\$10,870.07
	Other Costs	\$685,526.45	\$0.00
	Total	\$741,424.34	\$29,425.34

NOW THEREFORE, BE IT RESOLVED the Lansing City Council hereby directs that special assessment roll number G391 as returned by the City Assessor, be ratified and confirmed, to collect said tax within 90 days after the approval of the assessment roll.

BE IT FINALLY RESOLVED that the interest rate to be added to the special assessment installment payments shall be set at 5.03% in accordance with Chapter 1026.07 (a) (2) (F).

By Councilmember Dunbar

Motion Carried

RESOLUTION#359

BY THE COMMITTEE ON PUBLIC SERVICE
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

PUBLIC IMPROVEMENT IV

WHEREAS, pursuant to the Public Improvement III resolution adopted by this council, the City Assessor held a public hearing on August 20, 2007, for Assessment Roll # B-86 for sidewalk construction and repair, and furnished the following information:

PROJECT TITLE: 2007 Sidewalk Repair "B" Project
P.S. #01091

PROPERTY BENEFITED:

SIDEWALK:

An area bounded by Jolly Rd., Crocus Ave.,
Bluebell Dr., and S. Washington Ave., and An
area bounded by Jolly Rd., Ballard Rd., Ingham
St., and Fielding Dr., and An area bounded by
Cavanaugh Rd., S. Pennsylvania Ave., Vernon
Ave., and Parkway Blvd.

Excepting all public streets and alleys and other land deemed not
benefited.

ENGINEER'S ESTIMATE, COST OF IMPROVEMENTS:

ASSESSMENT ROLL NO B-86	City Contribution	Assessable to Property Owner
Sidewalk	\$221,872.50	\$85,052.00
Drive Approach	\$0.00	\$9,469.90
Other Costs	\$61,903.74	\$0.00
Total	\$273,776.33	\$94,522.07

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby directs that special assessment roll number B-086 as returned by the City Assessor, be ratified and confirmed.

BE IT FINALLY RESOLVED that the interest rate to be added to the special assessment installment payments shall be set at 5.03% in accordance with Chapter 1026.07 (a) (2)

By Councilmember Dunbar

Motion Carried

RESOLUTION#360

BY THE COMMITTEE ON WAYS & MEANS
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

That the following FY 2008 transfers be approved:

Police
Administration

\$3,255.00 from Administration Donations 101.0.675012.0
\$3,255.00 to Administration Donations 101.343201.741880.0

(To appropriate Ruth Hallman donations revenue).

Police
Administration

\$2,915.00 from Administration Donations 101.0.675012.0
\$2,915.00 to Administration Donations 101.343201.741880.0

(To appropriate Ruth Hallman donations revenue).

Police
Administration

\$6,170.00 from Administration Donations 101.343201.741880.0
\$6,170.00 to Admin Problem Solving Overtime 101.343201.708103.0

(To provide for expenditure of Ruth Hallman donated funds to the new Problem Solving Overtime account).

By Councilmember Wood

To recuse Councilmember Wood for possible conflict of Interest

Motion Carried

By Councilmember Wood

To place an affirmative role on the resolution

Motion Carried (Councilmember Wood Abstaining)

RESOLUTION#361

BY THE COMMITTEE ON WAYS & MEANS
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

That the following FY 2008 transfers be approved:

Police

Administration

\$ 1,825.00 from Administration Donations Revenue 101.0.675000.0
\$ 1,825.00 to Administration Donations 101.343201.741880.0

(To appropriate elliptical trainer equipment donations revenue).

Police
North Precinct (Patrol)

\$ 1,825.00 from Administration Donations 101.343201.741880.0
\$ 1,825.00 to North Precinct Equipment <5000 101.343251.977101.0

(To provide for expenditure of donated funds for purchase of an elliptical exercise trainer for the North Precinct).

By Councilmember Wood

Motion Carried

RESOLUTION#362

BY THE COMMITTEE ON WAYS & MEANS
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

That the following FY 2007 transfer be approved:

Fire
Maintenance

AMOUNT TO TRANSFER	TRANSFER FROM ACCOUNT #	TRANSFER TO ACCOUNT #
\$1,872.00	Administration Donations 101.343501.741880.0	
\$1,872.00		Maintenance Equipment <\$5,000 101.343510.977101.0

(To provide for expenditure of donated funds for the purchase remainder on the substitute heavy duty cots for the four [4] new ambulances).

By Councilmember Wood

Motion Carried

RESOLUTION#363

BY THE COMMITTEE ON WAYS & MEANS
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

That the following FY 2008 transfers be approved:

Police
Administration

AMOUNT TO TRANSFER	TRANSFER FROM ACCOUNT #	TRANSFER TO ACCOUNT #
\$1,000.00	Administration Donations 101.0.675000.0	
\$1,000.00		Administration Donations 101.343201.741880.0

(To appropriate donations revenue dedicated to Gang Resistance Education and Training).

By Councilmember Wood

Motion Carried

RESOLUTION#364

BY THE COMMITTEE ON WAYS AND MEANS

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Public Act 612 of 2006 (MCL 211.7kk) authorizing exemption of property taxes for nonprofit owned property was effective on January 3, 2007; and

WHEREAS, MCL 211.7kk authorizes the governing body of a local tax collecting unit to adopt a resolution exempting eligible nonprofit housing from the collection of property taxes, effective on the December 31 immediately succeeding the adoption of the resolution by the governing body of the local tax collecting unit or the issuance of a building permit for the eligible nonprofit housing property, whichever is later; and

WHEREAS, the property tax exemption provided in MCL 211.7kk shall continue in effect for two years, until the eligible nonprofit housing property is occupied by a low income person under a lease agreement, or until there is a transfer of ownership of the eligible nonprofit housing property, whichever occurs first; and

WHEREAS, MCL 211.7kk requires the local taxing collecting unit to notify in writing the assessor of the local taxing collecting unit and the legislative body of each taxing unit that levies ad valorem property taxes in the local tax collecting unit; and

WHEREAS, MCL 211.7kk requires that before acting on the resolution, the governing body of the local tax collecting unit shall afford the assessor and representatives of the affected taxing units an opportunity for a hearing;

BE IT RESOLVED that a hearing for the purpose of providing the assessors and representatives of affected taxing units an opportunity for comment on this proposed resolution as required by MCL 211.7kk will be conducted on the 10th Floor of City Hall in the City Council Chambers on September 24, 2007 at 7:00 p.m. ;

BE IT FURTHER RESOLVED that at least 15 days in advance the City Clerk shall provide written notice to the assessors and representatives of each affected taxing unit and shall publish general public notice of the date, time and place for this hearing;

BE IT FINALLY RESOLVED that comments received at the public hearing or provided in writing addressed to Lansing City Council at 124 W. Michigan Ave. 48933 at any time prior to the public hearing shall be considered by the City Council prior to adopting the proposed resolution.

By Councilmember Wood

Motion Carried

RESOLUTION#365

BY COMMITTEE OF THE WHOLE

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, The City Council of the City of Lansing received a request from the Charter Township of Lansing asking that a Liaison Committee be formulated pursuant to the 1993 agreement between the City of Lansing and Charter Township of Lansing; and

WHEREAS, the plans to extend sanitary sewer in the Lake Lansing Road, Wood Street area of the Township have been stalled and need further discussion and understanding; and

WHEREAS, the formulation of the Liaison Committee is to assist the two entities in resolving matters; and

WHEREAS, the Liaison Committee is to consist of the Township Supervisor or his/her designee and one other person appointed by the Township Board, the Mayor of the City of Lansing or his/her designee, and one other person appointed by the City Council;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, appoints ~~At Large Councilmember Brian Jeffries~~ **3rd Ward Councilmember William Matt** to the City of Lansing and Charter Township of Lansing Liaison Committee to represent the Lansing City Council;

BE IT FURTHER RESOLVED that the City Clerk make the appropriate contact with the Township of Lansing to report this appointment.

By Councilmember Allen

To place an affirmative role on the resolution

By Councilmember Matt

To amend the resolution by striking "At Large Councilmember Brian Jeffries" and inserting "3rd Ward Councilmember William Matt"

Motion Carried with Councilmember Wood voting Nay

The question being the motion to place an affirmative role on the resolution

Motion Carried

REPORTS FROM COUNCIL COMMITTEES

There were no Committee Reports

ORDINANCES FOR INTRODUCTION

There were no Ordinances for Introduction

ORDINANCES FOR PASSAGE

There were no Ordinances for Passage

**REPORTS FROM CITY OFFICERS, BOARDS, AND COMMISSIONS;
COMMUNICATIONS AND PETITIONS;
AND OTHER CITY RELATED MATTERS**

By Councilmember Allen that all items be considered as being read in full and that President Leeman make the appropriate referrals

Motion Carried

• Reports from City Officers, Board and Commissions:

- a. Letter from City Clerk Swope submitting minutes of Boards and Authorities placed on file in the City Clerk's Office

RECEIVED AND PLACED ON FILE

• Communications and Petitions, and Other City Related Matters:

- a. Letters from the State of Michigan, Department of Treasury providing notice of the issuance of Obsolete Property Rehabilitation Exemption Certificates to:
 - i. 2nd Wave, LLC for property located at 319 E. Grand River Ave.

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING AND REFERRED TO THE PLANNING AND DEVELOPMENT DEPARTMENT

- ii. PresVan, LLC for property located at 1820 Sunset Ave.

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING AND REFERRED TO THE PLANNING AND DEVELOPMENT DEPARTMENT

- b. Letter from the State of Michigan, Department of Labor and Economic Growth, Liquor Control Commission providing notice of the Cancellation of a request to Transfer Interest (2002 Licensing Year) in 2007 Class C and SDM Licensed Business with Sunday Sales Permit, Dance-Entertainment Permit and Official Permit (Food) located at 210 S. Washington Sq. by adding Douglas J. Nylander as New Member through Transfer of 90% Interest from Existing member Michael J. Brogan

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

- c. Notice from the State of Michigan, Public Service Commission of a public hearing for the electric customers of Consumers Energy Company Case U-15320 to be held on September 18, 2007

RECEIVED AND PLACED ON FILE

- d. Community Funding Reporting Statement filed by Churchill Downs Community Association for their Annual Picnic held August 21, 2007

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

- e. Letter from Sandra Finley of 3936 Hunter Ridge Dr. #3 regarding PRD-2-2007; vacant land on the west end of Hunter's Ridge

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING AND REFERRED TO THE PLANNING AND DEVELOPMENT DEPARTMENT

- f. Letter from Jerry Blakslee of the Lansing Boat Club regarding the Lansing Boat Club Commodore and Executive Board

RECEIVED AND PLACED ON FILE

- g. Letter from Samuel Duncan, Jr. Pastor of Lansing Church of God in Christ providing responses to concerns raised at a Town Hall meeting

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING AND REFERRED TO THE PLANNING AND DEVELOPMENT DEPARTMENT

- h. Petition filed by Wexford Heights Subdivision Area residents containing one-hundred twenty (120) signatures, along with supporting documents in opposition to PRD-1-2006; 5300 Block of Wise Rd., Petition for Planned Residential Development filed by New Faith Gardens, LLC for the purpose of constructing 24 townhouses and 24 senior citizen apartments

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING AND REFERRED TO THE PLANNING AND DEVELOPMENT DEPARTMENT

REMARKS BY COUNCILMEMBERS

Councilmember Leeman stated that there would be no evening or weekend replays of today's City Council meeting due to the fact that the

new equipment needed had not been purchased.

Councilmember Wood asked Jerry Ambrose, Executive Assistant to Mayor Bernero, about the sinkhole at Grand Ave. and Lenawee St. in from of the CATA Bus Terminal

Jerry Ambrose, Executive Assistant to Mayor Bernero, stated that the Public Service Department was working on the situation and that buses have been rerouted.

ADJOURNED TIME 3:04 P.M.

CHRIS SWOPE, CITY CLERK



**OFFICIAL PROCEEDINGS OF
THE CITY COUNCIL
CITY OF LANSING
PROCEEDINGS OF SEPTEMBER 10, 2007**

City Council Chambers
Lansing, Michigan

The City Council of the City of Lansing met in regular session and was called to order at 7:00 p.m. by President Leeman.

PRESENT: Councilmembers Allen, Jeffries, Kaltenbach, Leeman, Matt, Quinney, Wood

ABSENT: Councilmember Dunbar

Councilmember Quinney asked for a moment of silence to remember Denise Cadreau, a co-worker who recently passed away.

The Council observed a moment of Meditation followed by the Pledge of Allegiance led by President Leeman

APPROVAL OF MINUTES

By Councilmember Jeffries

To approve the printed Council Proceedings of September 6, 2007

Motion carried

CONSIDERATION OF LATE ITEMS

By Vice President Jeffries

To suspend City Council Rule #11 to allow for Consideration of Late Items

Motion carried

The following items were added to the agenda:

1. From Councilmember Matt; Presentation; July 2007 Employee of the Month, Barbara Mottin
2. From Councilmember Matt; Letter from Walter Wahl of 2822 Fielding Dr. regarding the paving of Wainwright Ave.
3. From Councilmember Matt; Letter from Al Swain of Capital Area Center for Independent Living submitting an article on the safety concerns of roundabouts
4. From Councilmember Leeman; Presentation; Honoring CATA as the "Best Transit System in America"

TABLED ITEMS

1. Requiring the owners of property located at 3325 Felt St. to Make Safe or Demolish their property within sixty days of July 16, 2007

SPECIAL CEREMONIES

- Special Ceremonies

1. Presentation; Mayor's Hometown Hero Award honoring Test of Time Enterprise, LLC

Mayor Bernero introduced Sylvia Alexander, Robert Cavin, Jr. and Germaine Redding, who invented the board game "The Whole Story". He stated that this game is a fun and inventive way to teach young people about history. He also noted that the game is being produced in Lansing, is currently available at Meijer stores and some proceeds from the game will go to the Children's Miracle Network.

Mayor Bernero read the following Proclamation:

WHEREAS: It is a distinct privilege to recognize Test of Time Enterprise, LLC (TOTE) partners Sylvia Alexander, Robert Cavin Jr. and Germaine Redding for their invention of "*The Whole Story*", an educational American History board game; and

WHEREAS: Since the founding of Test of Time Enterprise, LLC in 2004, part of their credo states: "...if our communities are strong, our businesses will also prosper and be strong"; and

WHEREAS: The City of Lansing residents and the State of Michigan are fortunate to have entrepreneurs who are committed to their communities and not solely seeking initial big profits. TOTE, LLC made the decision to select a Lansing-based manufacturer, Peckham, Inc., rather than accepting a lucrative contract with a manufacturer in China to produce "*The Whole Story*"; and

WHEREAS: With the support and advice of other business persons, TOTE, LLC have encountered many good fortunes on their road to success in the development and promotion of "*The Whole Story*"; and

WHEREAS: TOTE, LLC mission is to help children excel educationally, develop them socially, and to teach them how to operate at a higher educational level while having fun; and

WHEREAS: Sylvia Alexander, Robert Cavin Jr. and Germaine Redding have devoted their lives to advancing educational growth through board games, and has expressed their dedication to Lansing and its economy by choosing to stay locally based.

NOW, THEREFORE, I, VIRG BERNERO, Mayor of the City of Lansing, by the power vested in me do hereby proclaim September 10, 2007 as:

"Test of Time Enterprise, LLC Day"

in Lansing. I urge all residents to join me to commend TOTE, LLC for their outstanding contributions to the Greater Lansing community and in presenting them with the Mayor's Hometown Hero Award.

Germaine Redding thanked everyone who supported his company in their efforts to produce the game and asked those present to stand and be recognized.

Sylvia Alexander thanked God for this opportunity and stated that she felt blessed in achieving this success.

Robert Cavin, Jr. thanked the City and everyone for supporting their decision to make their company a Lansing based firm.

Mayor Bernero stated that these Lansing people are an example of the talent in the city and of what can be achieved by others.

2. Tribute; Stanley Levandowski, Sr.

Councilmember Wood stated that the resolution about to be read was to honor Stanley Levandowski, Sr. whose work ethic and contributions to the city's parks left a lasting impression on residents.

City Clerk Swope read the following Resolution:

RESOLUTION#366

BY COUNCILMEMBER CAROL WOOD
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, in 1931 Walter and Anna Levandowski, prompted by a simple concept: "give people a good product and listen to their needs and they'll be loyal customers", converted their small gas station into a food store, marking the official beginning of the L&L Supermarket; and

WHEREAS, recognizing his son Stanley had a unique talent for the grocery business and wanting to slow down a bit, Walter sold the store to Stanley after his return from WWII in 1947; and

WHEREAS, in 1949 Stanley married Patricia Fowler, and she eagerly pitched in to help run the store by going door-to-door collecting addresses of perspective shoppers and using a manual press to print "specials" for the week giving Lansing its first taste of local direct-mail advertising; and

WHEREAS, Stanley soon realized that by expanding the store, he could offer much more to his customers, prompting a decision that would transform the landscape of a portion of the Capitol City; and

WHEREAS, the original building was bull-dozed and gas pumps were removed, replaced by a 5,000 square foot "self serve" facility, one of the first of its kind in the area; and

WHEREAS, in eight short years, Stanley and Pat expanded the store to 13,000 square feet offering six checkout lanes and employing 40 workers, another first for the Lansing retail area, and renamed the store L&L Shoprite; and

WHEREAS, L&L is a family owned and operated business in every way; the kids provided most of the labor, bagging groceries, stocking shelves, and running the cash register; and

WHEREAS, Stanley promoted a strong work ethic, and he would take home a paycheck but never cash it to teach his children that making money was not the most important aspect of running a business; and

WHEREAS, Stanley's drive and dedication to the success of the family business set a precedent for excellence in quality and customer service and provided a solid foundation for it's continued success; and

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, wishes to acknowledge the late Stanley Levandowski on his remarkable achievements and the family legacy of L&L Food Stores that continues today.

By Councilmember Wood

Motion Carried

Councilmember Wood again acknowledged the contributions of Stanley Levandowski to the Lansing Community.

Mayor Bernero gave his condolences to the Lewandowski family and stated that Stanley Levandowski was present tonight in spirit. He said that the work ethics of the Lewandowski family can be applied throughout city government and are greatly appreciated.

Stan Levandowski II thanked the Mayor and the City Council and stated that his father is here in spirit, and that he lived in the city he loved for 77

years. He stated that the audience was his father's customers and thanked the citizens of Lansing.

3. Tribute; Joe Wald on his retirement from Sparrow Health System

City Clerk Swope read the following Resolution:

RESOLUTION#367

BY COUNCILMEMBER HAROLD LEEMAN
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Joe Wald joined Sparrow Hospital as president of a new start up affiliate offering personal blood storage services for the public, which was merged just one year later into the existing Sparrow Hospital Blood Bank; and

WHEREAS, his accomplishments span over a wide variety of specialties, including developing award-winning campaigns that led to unparalleled growth in Sparrow's public image and awareness, consumer preference, and market share; and

WHEREAS, in the Public and Media Relations, Mr. Wald served as Sparrow's spokesperson for a number of high profile situations that attracted national attention and developed exceptional relationships with local, statewide, and national media sources resulting in significant positive coverage for Sparrow and a more balanced coverage of "crisis" stories; and

WHEREAS, Mr. Wald served in a leadership role to design and implement a number of innovative community programs on behalf of Sparrow including; a neighborhood home ownership program, the Greater Lansing Health Education Collaboration, a program offering unique employment training to high school students, a yearlong centennial celebration for the community, and a new concierge service for patients and their families; and

WHEREAS, twice he served as the interim executive of the Fund Raising and Fund Development program and as the President of the Sparrow Foundation for more than two years; during which time, he attracted the largest single gift in the history of the Foundation, developed the Tom Izzo Sparrow Health Classic golf event, netting \$2 million for Sparrow over fifteen years, and raised \$5 million in conjunction with the Coaches and Athletes for Kids campaign to fund Sparrow's new Pediatric Emergency Room scheduled to open in January, 2008; and

WHEREAS, he provided Clinical Service Line Executive Oversight in the areas of hospice, home care, behavioral health and substance abuse, and the introduction of a new executive physical program, a new community wide first aid program which directed all area sporting and entertainment event injuries to Sparrow Hospital, a new innovative Palliative Care program, and a new Bariatric Surgery program; and

WHEREAS, he has served as President for three of Sparrow's affiliate Boards of Directors, and was responsible for executive support for Sparrow's volunteer program. He was the lead executive in the integration of key services resulting from Sparrow's mergers with St. Lawrence Hospital and Clinton Memorial Hospital and frequently represented Sparrow's president in community activities and speaking engagements; and

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, extends its appreciation to Joe Wald for his contributions to the City of Lansing and its residents. Congratulations on your much deserved retirement. We wish you continued success in all of your future endeavors!

By Councilmember Leeman

Motion Carried

Mayor Bernero stated that he gave Joe Wald a tribute as his retirement party and that Mr. Wald is taking his retirement to heart by wearing his golf shirt. He stated that Joe Wald not only served Sparrow Hospital but the entire Lansing community. On behalf of the citizens of Lansing, Mayor Bernero thanked Mr. Wald for all he has done for the city.

Joe Wald stated that Lansing is a great community and he and his family wouldn't want to live anywhere else. He said that his 21 years at Sparrow Hospital had been a labor of love. He thanked the Mayor, City Council and citizens for this recognition.

4. Presentation; July 2007 Employee of the Month, Barbara Mottin

Councilmember Matt stated that the strength of the City of Lansing comes from its employees. He stated that Barb Mottin has worked in the 911 communications center for the past 5 years and has always gone out of her way to help co-workers and to give hope to citizens.

Mayor Bernero stated that Barb was actually the first to receive the Employee of the Month award under this new program. He hoped no citizen would need to call 911 but if they did, he hoped they would talk to Barb. He mentioned that her peers voter her number one, and she deserved such an honor.

5. Presentation; Honoring CATA as the "Best Transit System in America"

Mayor Bernero congratulated the representatives from CATA on being awarded the #1 transit system for their size in America. He noted that this wasn't the first time CATA received this honor. He said that the award would be officially handed out in Charlotte, NC.

Sandy Draggoo stated that CATA previously won this award in 1991 and that it is highly unusual to win this award more than once. She thanked the Mayor, City Council, Lansing citizens and CATA employees for their support of the system because such support is needed to have an award winning system. She announced that new Route 16 was available but had to immediately be detoured due to construction. She spoke about the Entertainment Express. She acknowledged two board members present, R. John Strolle and Dirck Terwilliger. She stated that she was proud of CATA's relationship with the City of Lansing.

COUNCILMEMBERS' COMMENTS AND CITY CLERK'S ANNOUNCEMENTS:

Councilmember Allen stated that there still were limbs and branches on Miller Rd. that needed to be picked up.

Councilmember Quinney stated that there were branches on Pleasant Grove Rd. and Mt. Hope that still needed to be removed. He congratulated Hometown Hero award winner Germaine Redding for being a fine example of someone who gives back to his community. He announced that the 1st annual Back-N-The-Day picnic would be held September 22, 2007 at noon in Francis Park. Donations for the event will be directed to Cheryl Pittman at 882-4958 or Jackie Benson at 977-1956.

City Clerk Swope gave additional information about the upcoming requirements to present photo ID at polling locations. He stated that three (3) pieces of ID are required in order to obtain a State issued photo ID card. He stated that the fee for the ID is \$10 but is waived for persons 65 years of age or older, for those who have been denied a Driver's License due to a physical or mental limitation and for those who are legally blind. He stated that the Clerk's website has a link to the Secretary of State's webpage for more information. He announced that the League of Women Voters will be hosting a candidate forum for the Lansing Community College Board of Trustees Candidates on

September 24, 2007 from 7-8:30 in the evening.

SPEAKER REGISTRATION FOR PUBLIC COMMENT

(Clerk Swope announced that the public comment registration form(s) for those intending to address Council on legislative or City government matters will be collected and that only those persons who have fully completed the form(s) will be permitted to speak.)

MAYOR'S COMMENTS

Mayor Bernero spoke about Lansing Symphony Orchestra Day. He spoke about the Resurrection Ox Roast. He asked the City Council to support his Act 99 funding for surveillance cameras. He spoke about public safety and making Lansing a safer city. He asked citizens to call his office at 483-4141 if they would like to contribute to accounts geared towards public safety. He spoke about tomorrow being the 6th anniversary of the September 11, 2001 tragedy and that Lansing would hold a ceremony at Wentworth Park at 10:00 a.m.

Councilmember Allen encouraged citizens to see the play Mrs. Warren's Profession.

Councilmember Leeman read a communication from the Board of Water and Light regarding its 1st annual Connections Live Forum from 5:30-7:30 p.m. on September 13, 2007 in the Pattengil Middle School cafeteria. This forum will provide citizens information about home heating credits and energy conservation. He announced the reopening of Cleveland St. and Elm St. after construction projects.

SHOW CAUSE HEARINGS

• Comment on Scheduled Show Cause Hearings:

1. In consideration of the issuance of orders for Make Safe or Demolish to the owners of property located at 1237 Allen St.
2. In consideration of the issuance of orders for Make Safe or Demolish to the owners of property located at 907 S. Holmes St.
3. In consideration of the issuance of orders for Make Safe or Demolish to the owners of property located at 2212 Stirling Ave.

Councilmember Allen gave a brief overview of each of the above properties

Councilmember Kaltenbach stated that he received communications from citizens regarding 2212 Stirling Ave.

There were no speakers for these Show Cause Hearings

REFERRAL OF SHOW CAUSE HEARINGS

1. In consideration of the issuance of orders for Make Safe or Demolish to the owners of property located at 1237 Allen St.

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

2. In consideration of the issuance of orders for Make Safe or Demolish to the owners of property located at 907 S. Holmes St.

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

3. In consideration of the issuance of orders for Make Safe or Demolish to the owners of property located at 2212 Stirling

Ave.

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

**PUBLIC COMMENT
ON LEGISLATIVE MATTERS**

• Public Comment on Legislative Matters:

Legislative Matters included the following public hearings:

1. In consideration of Obsolete Property Rehabilitation Act (OPRA) Certificate filed by the International Association of Heat & Frost Insulators Retirement Trust Plan for property located at 906 Terminal Rd.

Councilmember Jeffries gave a brief overview of this Public Hearing

Larry Tolbert of 1328 Northampton Rd. spoke in support of the OPRA certificate for 906 Terminal Rd.

John Pollard of 1718 Blair St. spoke in opposition to the OPRA certificate for 906 Terminal Rd. He spoke about the property vacancies and foreclosures in the city and questioned the need for more housing.

Christine Timmon of 2519 S. Washington Ave. spoke tax abatements. She spoke about alleged unethical behavior in city government.

Dru Vinson of 606 S. Fairview Ave. spoke in support of the OPRA certificate for 906 Terminal Rd. He spoke about homes not selling in the city and foreclosures.

REFERRAL OF PUBLIC HEARINGS

1. In consideration of Obsolete Property Rehabilitation Act (OPRA) Certificate filed by the International Association of Heat & Frost Insulators Retirement Trust Plan for property located at 906 Terminal Rd.

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

**PUBLIC COMMENT
ON CITY GOVERNMENT RELATED MATTERS:**

Melissa DeyHasbrook of 355 N. Magnolia Ave. spoke about Safety in Lansing.

Dale Abronowitz of 1811 Sunset Ave. spoke about city unions.

Frank S. Curtis X of 1137 W. Allegan St. spoke about various city matters.

Stan Shuck of 818 Cooper Ave. spoke about various city matters.

Gary Bodiford of 1120 N. Jenison Ave. spoke about various city matters.

Michael Vander Nat of 25513 Five Mile Rd., Redford, MI spoke about home foreclosures.

Gerald Rowley of 737 N. Pennsylvania Ave. spoke about various city matters.

William Hubbell of 3916 Wedgewood Dr. spoke about various city matters.

Scott Mooney of 25513 Five Mile Rd., Redford, MI spoke about home foreclosures.

Dru Vinson of 606 S. Fairview Ave. spoke about various city matters.

John Pollard of 1718 Blair St. spoke about various city matters.

Christine Timmon of 2519 S. Washington Ave. spoke about various city matters.

Willie Hobbs of 5017 Conners Ave. spoke about various city matters.

Frank Weathersby of 3103 Cumberland Rd. spoke about the death of his mother.

Charlene Decker of 2711 Pleasant Grove Rd. spoke about various city matters.

Belinda Fitzpatrick of 224 S. Holmes St. spoke about surveillance cameras and various city matters.

Richard Clement of 900 Long Blvd. #331 spoke about voting and various city matters.

City Clerk Swope spoke about the requirements to vote in the upcoming November 6, 2007 election.

LEGISLATIVE MATTERS

RESOLUTIONS

RESOLUTION#368

BY COUNCILMEMBER MATT

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Third Ward position of the Board of Ethics is vacant; and

WHEREAS, Bill Matt, as the Third Ward Councilmember, recommends Wes Thorp as the Third Ward member of the Board of Ethics;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, appoints Wes Thorp to the Third Ward vacant position on the Board of Ethics for the term that expires June 30, 2011.

By Councilmember Matt

Motion Carried

RESOLUTION#369

BY THE COMMITTEE ON DEVELOPMENT & PLANNING
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

Resolved by the City Council of the City of Lansing that a public hearing be set for Monday, September 24, 2007, at 7 p.m. in City Council Chambers, Tenth Floor, Lansing City Hall, 124 West Michigan Avenue, Lansing, Michigan, for the purpose of approving and/or opposing the Planned Residential Development:

PRD-1-2006, Planned Residential Development, 5300 Block, Wise Road

By Councilmember Jeffries

Motion Carried

RESOLUTION#370

BY THE COMMITTEE ON DEVELOPMENT AND PLANNING
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

Resolved by the City Council of the City of Lansing that a public

hearing be set for Monday, October 1, 2007, at 7 p.m. in City Council Chambers, Tenth Floor, Lansing City Hall, 124 West Michigan Avenue, Lansing, Michigan, for the purpose of opposing and/or approving the proposed Special Land Use, SLU-2-2007, 3215 W. Mt. Hope Avenue, cell phone tower in a "DM-1" Residential District.

By Councilmember Jeffries

Motion Carried

RESOLUTION#371

BY THE COMMITTEE ON DEVELOPMENT & PLANNING
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

Resolved by the City Council of the City of Lansing that a public hearing be set for Monday, October 1, 2007, at 7 p.m. in City Council Chambers, Tenth Floor, Lansing City Hall, 124 West Michigan Avenue, Lansing, Michigan, for the purpose of approving and/or opposing the Planned Residential Development:

PRD-2-2007, Planned Residential Development, West end of Hunter's Ridge Drive

By Councilmember Jeffries

Motion Carried

RESOLUTION#372

BY THE COMMITTEE ON PUBLIC SAFETY
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Code Compliance Manager has determined that the building located at **310 Haag, Parcel #3301.01.15.152.061** legally described as: **N 34 Ft of W ½ Lot 7 & N 34 Ft of E 59.5 Ft Lot 8 Block 5 Jerome Add** is an unsafe or dangerous building as defined in Section 1460.24 of the Lansing Uniform Housing Code and the Housing Law of Michigan and was red tagged on **October 26, 2005**; and

WHEREAS, a hearing was held by the Hearing Officers on **May 24, 2007**, at which the Hearing Officers determined that said building was an unsafe and dangerous building and ordered the building demolished or made safe by **June 28, 2007**; and

WHEREAS, said Hearing Officers filed a report of their findings and order with the City Council and requested the City Council to take appropriate action under the Lansing Housing and Premises Code and the Housing Law of Michigan; and

WHEREAS, the Housing Law of Michigan and Premises Code require a hearing be conducted to give the property owner an opportunity to show cause why a dangerous structure should not be demolished or otherwise made safe; and

WHEREAS, the City Council held a public hearing on **July 30, 2007**, to review the findings and the order of the Hearing Officers and the owners were notified in writing of said hearing and had an opportunity to appear and show cause why said building should not be demolished or otherwise made safe; and

WHEREAS, the Code Compliance Office has determined that compliance with the order of the Lansing Demolition Hearing Board Officer has not occurred; and

NOW, THEREFORE, BE IT RESOLVED that the owner(s) of **310 Haag** are hereby directed to comply with the order of the Hearing Officers to demolish or otherwise make safe the said building within **thirty (30) days** from the date of this resolution, **Monday, September 10, 2007**.

BE IT FURTHER RESOLVED that the property owner(s) is hereby notified that this order must be appealed within twenty days pursuant to MCL 125.542 and should the owners fail to comply with the Hearing

Officers' order for demolition or make safe, the Manager of Code Compliance is hereby directed to proceed with demolition of said building.

BE IT FURTHER RESOLVED whether demolition is accomplished by said property owner or the city that appropriate seeding and restoration of property take place to avoid run-off to adjacent properties.

BE IT FURTHER RESOLVED that the cost of such demolition shall be a lien against the real property and shall be reported to the City Assessor.

BE IT FINALLY RESOLVED that the owners in whose name the property appears upon the last local tax assessment record shall be notified by the City Assessor of the amount of such cost by first class mail at the address shown on the records. Upon the owners failure to pay the same within thirty (30) days after mailing by the City Assessor of the notice of the amount thereof, the amount of said costs shall be a lien and shall be filed and recovered as provided by law and the lien shall be collected and treated in the same manner as provided for property tax liens under the general property tax act.

By Councilmember Allen

Motion Carried

RESOLUTION#373

BY THE COMMITTEE ON PUBLIC SAFETY
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Code Compliance Manager has determined that the building located at **200 Huron, Parcel #3301.01.17.330.181** legally described as: **Lot 6 Exc W 33 Ft Block 3 Kemps Add** is an unsafe or dangerous building as defined in Section 1460.24 of the Lansing Uniform Housing Code and the Housing Law of Michigan and was red tagged on **September 28, 2005**; and

WHEREAS, a hearing was held by the Hearing Officers on **May 24, 2007**, at which the Hearing Officers determined that said building was an unsafe and dangerous building and ordered the building demolished or made safe by **June 28, 2007**; and

WHEREAS, said Hearing Officers filed a report of their findings and order with the City Council and requested the City Council to take appropriate action under the Lansing Housing and Premises Code and the Housing Law of Michigan; and

WHEREAS, the Housing Law of Michigan and Premises Code require a hearing be conducted to give the property owner an opportunity to show cause why a dangerous structure should not be demolished or otherwise made safe; and

WHEREAS, the City Council held a public hearing on **July 30, 2007**, to review the findings and the order of the Hearing Officers and the owners were notified in writing of said hearing and had an opportunity to appear and show cause why said building should not be demolished or otherwise made safe; and

WHEREAS, the Code Compliance Office has determined that compliance with the order of the Lansing Demolition Hearing Board Officer has not occurred; and

NOW, THEREFORE, BE IT RESOLVED that the owner(s) of **200 Huron** are hereby directed to comply with the order of the Hearing Officers to demolish or otherwise make safe the said building within **thirty (30) days** from the date of this resolution, **Monday, September 10, 2007**.

BE IT FURTHER RESOLVED that the property owner(s) is hereby notified that this order must be appealed within twenty days pursuant

to MCL 125.542 and should the owners fail to comply with the Hearing Officers' order for demolition or make safe, the Manager of Code Compliance is hereby directed to proceed with demolition of said building.

BE IT FURTHER RESOLVED whether demolition is accomplished by said property owner or the city that appropriate seeding and restoration of property take place to avoid run-off to adjacent properties.

BE IT FURTHER RESOLVED that the cost of such demolition shall be a lien against the real property and shall be reported to the City Assessor.

BE IT FINALLY RESOLVED that the owners in whose name the property appears upon the last local tax assessment record shall be notified by the City Assessor of the amount of such cost by first class mail at the address shown on the records. Upon the owners failure to pay the same within thirty (30) days after mailing by the City Assessor of the notice of the amount thereof, the amount of said costs shall be a lien and shall be filed and recovered as provided by law and the lien shall be collected and treated in the same manner as provided for property tax liens under the general property tax act.

By Councilmember Allen

Motion Carried

RESOLUTION#374

BY THE COMMITTEE ON PUBLIC SAFETY
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Code Compliance Manager has determined that the building located at **1520 Ballard, Parcel #3301.01.10.153.141** legally described as: **Lot 6 Exc W 33 Ft Block 3 Kemps Add** is an unsafe or dangerous building as defined in Section 1460.24 of the Lansing Uniform Housing Code and the Housing Law of Michigan and was red tagged on **August 8, 2006**; and

WHEREAS, a hearing was held by the Hearing Officers on **October 26, 2006**, at which the Hearing Officers determined that said building was an unsafe and dangerous building and ordered the building demolished or made safe by **November 26, 2006**; and

WHEREAS, said Hearing Officers filed a report of their findings and order with the City Council and requested the City Council to take appropriate action under the Lansing Housing and Premises Code and the Housing Law of Michigan; and

WHEREAS, the Housing Law of Michigan and Premises Code require a hearing be conducted to give the property owner an opportunity to show cause why a dangerous structure should not be demolished or otherwise made safe; and

WHEREAS, the City Council held a public hearing on **June 4, 2007**, to review the findings and the order of the Hearing Officers and the owners were notified in writing of said hearing and had an opportunity to appear and show cause why said building should not be demolished or otherwise made safe; and

WHEREAS, the Code Compliance Office has determined that compliance with the order of the Lansing Demolition Hearing Board Officer has not occurred; and

NOW, THEREFORE, BE IT RESOLVED that the owner(s) of **1520 Ballard** are hereby directed to comply with the order of the Hearing Officers to demolish or otherwise make safe the said building within **sixty (60) days** from the date of this resolution, **Monday, September 10, 2007**.

BE IT FURTHER RESOLVED that the property owner(s) is hereby notified that this order must be appealed within twenty days pursuant to MCL 125.542 and should the owners fail to comply with the Hearing

Officers' order for demolition or make safe, the Manager of Code Compliance is hereby directed to proceed with demolition of said building.

BE IT FURTHER RESOLVED whether demolition is accomplished by said property owner or the city that appropriate seeding and restoration of property take place to avoid run-off to adjacent properties.

BE IT FURTHER RESOLVED that the cost of such demolition shall be a lien against the real property and shall be reported to the City Assessor.

BE IT FINALLY RESOLVED that the owners in whose name the property appears upon the last local tax assessment record shall be notified by the City Assessor of the amount of such cost by first class mail at the address shown on the records. Upon the owners failure to pay the same within thirty (30) days after mailing by the City Assessor of the notice of the amount thereof, the amount of said costs shall be a lien and shall be filed and recovered as provided by law and the lien shall be collected and treated in the same manner as provided for property tax liens under the general property tax act.

By Councilmember Allen

Motion Carried

REPORTS FROM COUNCIL COMMITTEES

RESOLUTION#375

REPORT OF COMMITTEE

THE COMMITTEE ON DEVELOPMENT AND PLANNING was held on August 29, 2007 and reviewed the Ordinance amendment to Chapter 1246, Section 1246.02 of the Code of Ordinances to allow for rezoning a parcel of real property located at 6040 S. ML King from "A" Residential District to "E-2" Local Shopping District.

The Committee recommends approval of the Ordinance amendment to Chapter 1246, Section 1246.02 of the Code of Ordinances to allow for rezoning a parcel of real property located at 6040 S. ML King from "A" Residential District to "E-2" Local Shopping District.

Signed: Brian Jeffries, Chairperson
Sandy Allen, Vice Chairperson
Kathie Dunbar, Member

By Councilmember Jeffries

To adopt this Committee Report

Motion Carried

RESOLUTION#376

REPORT OF COMMITTEE

THE COMMITTEE ON DEVELOPMENT AND PLANNING was held on August 29, 2007 and reviewed the Ordinance amendment to Chapter 1246, Section 1246.02 of the Code of Ordinances to allow for rezoning a parcel of real property located at the Vacant Lot, East of 401 Fenton Avenue from "F" Commercial District to "A" Residential District.

The Committee recommends approval of the Ordinance amendment to Chapter 1246, Section 1246.02 of the Code of Ordinances to allow for rezoning a parcel of real property located at the Vacant Lot, East of 401 Fenton Avenue from "F" Commercial District to "A" Residential District.

Signed: Brian Jeffries, Chairperson

Sandy Allen, Vice Chairperson
Kathie Dunbar, Member

By Councilmember Jeffries

To adopt this Committee Report

Motion Carried

RESOLUTION#377
REPORT OF COMMITTEE

THE COMMITTEE ON PUBLIC SAFETY was held on September 5, 2007 and reviewed a resolution requesting that a public hearing is set in consideration of the property located at 1013 Prospect deemed a public nuisance under Chapter 630 of the Lansing Codified Ordinances.

The Committee recommends setting a public hearing in consideration of the property located at 1013 Prospect deemed a public nuisance under Chapter 630 of the Lansing Codified Ordinances.

Signed: Sandy Allen, Chairperson
Tim Kaltenbach, Vice Chairperson
Bill Matt, Member

By Councilmember Allen

To receive this Committee Report

Motion Carried

ORDINANCES FOR INTRODUCTION

INTRODUCTION OF ORDINANCES

The following ordinance of the City of Lansing, Michigan, providing that the Code of Ordinances be amended by providing for the rezoning of property located in the City of Lansing, Michigan, and for the revision of the district maps adopted by Section 1246.02 of the Code for property located at:

Z-4-2007, Vacant lot north of 2724 Trudy Lane, from "A" Residential District to "C" Residential District

was introduced by the Committee on Development & Planning, read a first and second time by its title and referred to the Committee on Development and Planning.

RESOLUTION#378
BY THE COMMITTEE ON DEVELOPMENT & PLANNING
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

Resolved by the City Council of the City of Lansing that a public hearing be set for Monday, October 1, 2007, at 7 p.m. in City Council Chambers, Tenth Floor, Lansing City Hall, 124 West Michigan Avenue, Lansing, Michigan, for the purpose of approving and/or opposing the Ordinance for rezoning:

Z-4-2007, Vacant lot north of 2724 Trudy Lane, from "A" Residential District to "C" Residential District

By Councilmember Jeffries

Motion Carried

INTRODUCTION OF ORDINANCES

The following ordinance of the City of Lansing, Michigan, providing that the Code of Ordinances be amended by providing for the rezoning of property located in the City of Lansing, Michigan, and for the revision of

the district maps adopted by Section 1246.02 of the Code for property located at:

Z-6-2007, West end of Hunter's Ridge Drive, from "CUP" Community Unit Plan to "A" Residential District

was introduced by the Committee on Development & Planning, read a first and second time by its title and referred to the Committee on Development and Planning.

RESOLUTION#379
BY THE COMMITTEE ON DEVELOPMENT & PLANNING
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

Resolved by the City Council of the City of Lansing that a public hearing be set for Monday, October 1, 2007, at 7 p.m. in City Council Chambers, Tenth Floor, Lansing City Hall, 124 West Michigan Avenue, Lansing, Michigan, for the purpose of approving and/or opposing the Ordinance for rezoning:

Z-6-2007, West end of Hunter's Ridge Drive, from "CUP" Community Unit Plan to "A" Residential District

By Councilmember Jeffries

Motion Carried

ORDINANCES FOR PASSAGE

BY COUNCILMEMBER JEFFRIES

That we move to the passage of Ordinances

BY COUNCILMEMBER JEFFRIES

That the Ordinance when read be considered as read in its entirety.

BY THE COMMITTEE ON DEVELOPMENT AND PLANNING

BY COUNCILMEMBER JEFFRIES

Resolved by the City Council of the City of Lansing that an Ordinance of the City of Lansing, Michigan, Providing for the Rezoning of a parcel of real property located in the City of Lansing, Michigan and for the revision of the district maps adopted by section 1246.02 of the Code of Ordinances for property located at Z-2-2007; 6040 S. Martin Luther King Jr. Blvd., be placed on order of immediate passage.

BY THE COMMITTEE ON DEVELOPMENT AND PLANNING

BY COUNCILMEMBER JEFFRIES

Resolved by the City Council of the City of Lansing that an Ordinance of the City of Lansing, Michigan, Providing for the Rezoning of a parcel of real property located in the City of Lansing, Michigan and for the revision of the district maps adopted by section 1246.02 of the Code of Ordinances for property located at Z-2-2007; 6040 S. Martin Luther King Jr. Blvd., be now passed.

YEAS: Councilmembers Allen, Jeffries, Kaltenbach, Leeman, Matt, Quinney, Wood

NAY: None

ABSENT: Councilmember Dunbar

By Councilmember Jeffries

THAT THIS ORDINANCE, BEING NECESSARY FOR THE IMMEDIATE PRESERVATION OF THE PUBLIC, PEACE, HEALTH OR SAFETY SHALL TAKE EFFECT UPON ITS PASSAGE

Motion Carried

ORDINANCE #2530

AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, PROVIDING FOR THE REZONING OF A PARCEL OF REAL PROPERTY LOCATED IN THE CITY OF LANSING, MICHIGAN AND FOR THE REVISION OF THE DISTRICT MAPS ADOPTED BY SECTION 1246.02 OF THE CODE OF ORDINANCES.

The City of Lansing ordains:

Section 1. That the district maps adopted by and incorporated as Section 1246.02 of the Code of Ordinances of the City of Lansing, Michigan be amended to provide as follows:

To change the zoning classification of the property described as follows:

Case Number:	Z-2-2007
Address:	6040 S. ML King Blvd.
Parcel Number:	PPN: 33-01-05-05-351-081
Legal Descriptions:	Lot 18, also Lot 19 except the southwesterly 17 feet, Webster Farm Subdivision No. 1, City of Lansing, Ingham County, Michigan, from "A" Residential to "E-2" Local Shopping District

Section 2. All ordinances or parts of ordinances inconsistent with the provisions hereof are hereby repealed.

Section 3. This ordinance shall take effect thirty (30) days from its passage unless given immediate effect by the City Council.

This Ordinance was given Immediate Effect

CHRIS SWOPE, LANSING CITY CLERK

BY COUNCILMEMBER JEFFRIES

That the Ordinance when read be considered as read in its entirety.

BY THE COMMITTEE ON DEVELOPMENT AND PLANNING

BY COUNCILMEMBER JEFFRIES

Resolved by the City Council of the City of Lansing that an Ordinance of the City of Lansing, Michigan, Providing for the Rezoning of a parcel of real property located in the City of Lansing, Michigan and for the revision of the district maps adopted by section 1246.02 of the Code of Ordinances for property located at Z-3-2007; Vacant Lot east of 401 Fenton St., be placed on order of immediate passage.

BY THE COMMITTEE ON DEVELOPMENT AND PLANNING

BY COUNCILMEMBER JEFFRIES

Resolved by the City Council of the City of Lansing that an Ordinance of the City of Lansing, Michigan, Providing for the Rezoning of a parcel of real property located in the City of Lansing, Michigan and for the revision of the district maps adopted by section 1246.02 of the Code of Ordinances for property located at Z-3-2007; Vacant Lot east of 401 Fenton St., be now passed.

YEAS: Councilmembers Allen, Jeffries, Kaltenbach, Leeman, Matt, Quinney, Wood

NAY: None

ABSENT: Councilmember Dunbar

By Councilmember Jeffries

THAT THIS ORDINANCE, BEING NECESSARY FOR THE IMMEDIATE PRESERVATION OF THE PUBLIC, PEACE, HEALTH OR SAFETY SHALL TAKE EFFECT UPON ITS PASSAGE

Motion Carried

ORDINANCE #2531

AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, PROVIDING FOR THE REZONING OF A PARCEL OF REAL PROPERTY LOCATED IN THE CITY OF LANSING, MICHIGAN AND FOR THE REVISION OF THE DISTRICT MAPS ADOPTED BY SECTION 1246.02 OF THE CODE OF ORDINANCES.

The City of Lansing ordains:

Section 1. That the district maps adopted by and incorporated as Section 1246.02 of the Code of Ordinances of the City of Lansing, Michigan be amended to provide as follows:

To change the zoning classification of the property described as follows:

Case Number:	Z-3-2007
Address:	Vacant Lot, East of 401 Fenton Avenue
Parcel Number:	PPN: 33-01-01-33-254-102
Legal Descriptions:	South 110.3 Feet of Lot 82, Jessops Home Gardens Subdivision, City of Lansing, Ingham County, Michigan, from "F" Commercial District to "A" Residential District

Section 2. All ordinances or parts of ordinances inconsistent with the provisions hereof are hereby repealed.

Section 3. This ordinance shall take effect thirty (30) days from its passage unless given immediate effect by the City Council.

This Ordinance was given Immediate Effect

CHRIS SWOPE, LANSING CITY CLERK

**REPORTS FROM CITY OFFICERS, BOARDS, AND COMMISSIONS;
COMMUNICATIONS AND PETITIONS;
AND OTHER CITY RELATED MATTERS**

By Councilmember Jeffries that all items be considered as being read in full and that President Leeman make the appropriate referrals

Motion Carried

Reports from City Officers, Board and Commissions:

- a. Letter from the City Clerk submitting minutes of Boards and Authorities placed on file in the City Clerk's Office

RECEIVED AND PLACED ON FILE

- b. Letters from the Mayor re:

- i. Transfer of Funds; Police Administration, Donations & Contributions and Problem Solving Overtime

REFERRED TO THE COMMITTEE ON WAYS AND MEANS AND INTERNAL AUDIT

- ii. Brownfield Plans #33 and #34:
 - Brownfield Plan #33; The Abigail School for the Blind Redevelopment Project, property located at 715 W. Willow filed by the Lansing Housing Commission; and
 - Brownfield Plan #34; The Library School for the Blind Redevelopment Project, property located at 600 Maple St. filed by the Greater Lansing Housing Commission

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

- iii. Public Improvement IV; Sidewalk Repair "A" Project for an area bounded by Oakland Avenue, North Washington Avenue, Willow St., North Grand River Ave. and Seymour Ave., and also the south side of Ionia St. from N. Martin Luther King Jr. Blvd. to Pine St., excepting all public streets and alleys and other lands deemed not benefited

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES

• Communications and Petitions and Other City Related Matters:

- a. Contracts between the State of Michigan Department of Transportation and the City of Lansing for:
 - i. Part A – Federal and State Participation: Hot mix asphalt paving work along Collins Rd. from Jolly Rd. to Dunckel Rd.; including subgrade undercutting, subbase, curb and gutter, storm sewer, and cold milling work; and all together with necessary related work
 - Part B – No Federal or State Participation; Audiovisual taping and sanitary sewer work along Collins Rd. from Jolly Rd. to Dunckel Rd.; joint and crack repair work along Dunckel Rd. from the northbound Highway US-127 on ramp to Collins Rd.; and all together with necessary related work

REFERRED TO THE PLANNING AND DEVELOPMENT DEPARTMENT AND REFERRED TO THE CITY ATTORNEY

- ii. Local Jobs Today Program Loan

REFERRED TO THE PLANNING AND DEVELOPMENT DEPARTMENT AND REFERRED TO THE CITY ATTORNEY

- b. Letter from the State of Michigan Department of Labor & Economic Growth Liquor Control Commission (MLCC) to Brenan Lansing, LLC cancelling a request to Transfer Ownership of a 2007 B-Hotel & SDM Licensed Business from Flood Enterprises Inc.

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

- c. Letter of Resignation from the Economic Development Corporation/Tax Increment Financing Authority/Brownfield Redevelopment Authority submitted by William J. Cook, Sr.

REFERRED TO THE MAYOR AND REFERRED TO THE ECONOMIC DEVELOPMENT CORPORATION

- d. Letter from Benjamin Reiter of 1404 Jerome St., stating concerns with proposed surveillance cameras in the City of Lansing

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

- e. Petition containing two (2) signatures in opposition to PRD-1-2006; 5300 Block of Wise Rd. Petition for Planned Residential Development filed by Lansing Church of God/New Faith Gardens, LLC

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING AND REFERRED TO THE PLANNING AND DEVELOPMENT DEPARTMENT

- f. Letter from Walter Wahl of 2822 Fielding Dr. regarding the paving of Wainwright Ave.

*SUSPENSION ITEM-REFERRED TO THE COMMITTEE ON PUBLIC SERVICES AND REFERRED TO THE MAYOR

- g. Letter from Al Swain of Capital Area Center for Independent Living submitting an article on the safety concerns of roundabouts

*SUSPENSION ITEM-REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

MOTION OF EXCUSED ABSENCE

By Councilmember Allen

To excuse Councilmember Dunbar from tonight's proceedings

Motion Carried

ADJOURNED TIME 9:32 P.M.

CHRIS SWOPE, CITY CLERK



**OFFICIAL PROCEEDINGS OF
THE CITY COUNCIL
CITY OF LANSING
PROCEEDINGS OF SEPTEMBER 17, 2007**

City Council Chambers
Lansing, Michigan

The City Council of the City of Lansing met in regular session and was called to order at 7:00 p.m. by President Leeman.

PRESENT: Councilmembers Allen, Dunbar, Jeffries, Kaltenbach, Leeman, Matt, Quinney, Wood

ABSENT: None

Councilmember Leeman asked for a moment of silence to remember Jerry Lawler, a former eastside resident who recently passed away.

The Council observed a moment of Meditation followed by the Pledge of Allegiance led by President Leeman

APPROVAL OF MINUTES

By Councilmember Jeffries

To approve the printed Council Proceedings of September 10, 2007

Motion carried

CONSIDERATION OF LATE ITEMS

By Vice President Jeffries

To suspend City Council Rule #11 to allow for Consideration of Late Items

Motion carried

The following items were added to the agenda:

1. From Councilmember Wood; Letter from Scott Mooney of 25513 Five Mile Rd., Redford, MI regarding foreclosures
2. From Councilmember Wood; Six (6) electronic messages in opposition to Act 99 Installment Purchase Financing of Public Safety Surveillance System
3. From Councilmember Kaltenbach; Request for recognition of non-profit status filed by Zoe M. Wilcox of Michigan Foundation for Education Leadership located at 1001 Centennial Way, Ste. 400

TABLED ITEMS

1. Requiring the owners of property located at 3325 Felt St. to Make Safe or Demolish their property within sixty days of July 16, 2007

SPECIAL CEREMONIES

• Special Ceremonies

1. Proclamation and Tribute; Recognition of the Annual

International Day of Peace

Mayor Bernero introduced Martha Fujita of the Lansing Chapter of the United Nations Association and others involved with International Day of Peace

Martha Fujita stated that The International Day of Peace was established by a United Nations resolution in 1981. She announced that September 21 is the official date of the event and Lansing's celebration will be held this year at the City Hall Plaza where a Michigan red cedar wood Peace Pole would be dedicated at 12 noon.

Mayor Bernero read excerpts from his Proclamation.

Councilmember Leeman moved the following resolution:

RESOLUTION#380

BY COUNCILMEMBER HAROLD LEEMAN
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, in 1981 the United Nations proclaimed the International Day of Peace to be "devoted to commemorating and strengthening the ideals of peace both within and among all nations and peoples"; and

WHEREAS, the United Nations expanded the observance of the International Day of Peace in 2001 to include the call for a day of global ceasefire and non-violence and invited all nations and people to honor a cessation of hostilities for the duration of the day; and

WHEREAS, there is growing support within our City for the observance of the International Day of Peace, which affirms a vision of our world at peace and fosters cooperation between individuals, organizations, and nations; and

WHEREAS, global crises impel all citizens to work toward converting humanity's noblest aspirations for world peace into a practical reality for future generations; and

WHEREAS, International Peace Day is a celebration to unite and inspire global communities to work together towards a more peaceful, just, and sustainable world for all; and

WHEREAS, this year more than 3,500 Peace Day events will take place in 200 countries around the world, including all 192 member nations of the United Nations; and

WHEREAS, on Friday, September 21, 2007, the Peace Partners of Greater Lansing invites the public to attend a free celebration of peace in honor of the annual International Day of Peace; and

WHEREAS, the event will feature music, information tables, and the ceremonial presentation of a Michigan-made cedar Peace Pole inscribed with the phrase "May Peace Prevail on Earth" in twelve languages, including each country where Lansing has international relationships: China, Mexico, Japan, Russia, Ghana, Italy, and Korea; and

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, proclaims, September 21, 2007 as the International Day of Peace and urges all government departments and agencies, organizations, schools, places of worship, and individuals in our City to commemorate, in an appropriate manner, the International Day of Peace.

By Councilmember Leeman

Motion Carried

2. Proclamation; Honoring Judge Amy Krause for the Champion of Justice Award

Mayor Bernero read the following Proclamation:

WHEREAS: It is a great privilege to pay tribute to the Honorable Amy Krause as she is presented with the State Bar of Michigan's distinguished Champion of Justice Award at an awards dinner to be held on September 26, 2007; and

WHEREAS: The Champion of Justice Award, limited to not more than five recipients a year, is awarded to practicing lawyers and judges each year. Awardees have exhibited superior professional competence, displayed integrity and adherence to the highest principles and traditions of the legal profession, performed an extraordinary professional accomplishment that benefits the nation, the state or the local community in which they live and have been a member of the State Bar of Michigan for at least ten years; and

WHEREAS: Judge Amy Krause's name will be added to a renowned list of previous Champion of Justice Award winners such as: the Honorable G. Mennen Williams, Prosecutor Stuart Dunning, Justice Dorothy Comstock Riley; and the Honorable Damon J. Keith; and

WHEREAS: On March 10, 2003, Judge Krause was appointed by Governor Jennifer M. Granholm to the 54-A District Court and subsequently elected by residents of the City of Lansing on November 2, 2004; and

WHEREAS: Judge Krause's legal career includes work as a litigation attorney for a private law firm, an Assistant Prosecuting Attorney, First Assistant Prosecutor and Assistant Attorney General to both General Attorney Frank J. Kelley and Jennifer M. Granholm. She is nationally recognized as an expert in the areas of criminal law, trial advocacy and cases involving sexual assault, domestic violence and child abuse; and

WHEREAS: Exemplary public servants like Judge Krause are so deserving of the recognition received. Our communities could not function without dedicated individuals willing to devote their careers to public service. Throughout her career, Judge Krause has worked diligently in the community to help others and truly merits this prestigious award.

Now, Therefore, I, Virg Bernero, Mayor of the City of Lansing, by the power vested in me by the people do hereby proclaim September 26, 2007, as

"Judge Amy Krause Day"

in Lansing. I urge residents to join me to commend and congratulate Judge Krause for being selected to receive the State Bar of Michigan's Champion of Justice Award.

Amy Krause thanked the Mayor and City Council for this award. She stated that she wasn't expecting such and honor and hopes that she serves the City of Lansing to the best of her abilities everyday.

3. Presentation; Hometown Hero Award to Sherry McDonald for her response to the August 24, 2007 tornado

Mayor Bernero introduced Trent Atkins, Emergency Management Chief, and Sherry McDonald

Trent Atkins spoke about the tornado that struck in Eaton County on August 24, 2007 and how Sherry McDonald's activation of the storm warning system potentially saved many lives.

Mayor Bernero read excerpts from his Proclamation.

Sherry McDonald stated that what she did was all in a day's work, but she appreciates the honor.

4. Presentation; Welcoming students from Michigan/Shiga Exchange Program

Kathee McDonald introduced her boss, Cynthia Jackson-Elmoore, and gave a brief overview of the Michigan/Shiga exchanged program. She stated that the Capital of Shiga Prefecture, Otsu, Japan is a "sister" city to Lansing and how 20 students from the Lansing area spend two weeks with host families in Shiga in June and the students of the host families stay with their Lansing counterparts in September for two weeks. She stated that three students from Lansing (Duane, Clemons, Mark Jemmerson and Mario James) received scholarships to participate in the program.

Duane Clemons, Mario James and Mark Jemmerson introduced their host brothers and sister from Japan – Hiroyuki Tachibana, Mayumi Hosaki, and Kazunori Tanimura, respectively.

Yuji Yamakawa from the Michigan Department of Education introduced several teachers from Shiga

Cynthia Jackson-Elmoore stated that MSU Honors College is offering another full scholarship to an interested Lansing School District student in grades 9-11.

Mayor Bernero welcomed the visitors from Shiga and thanked them for working with Lansing students. He also thanked the Gifted and Talented Department at MSU.

**COUNCILMEMBERS' COMMENTS
AND CITY CLERK'S ANNOUNCEMENTS:**

By Councilmember Allen

To table the Resolution on Act 99 Installment Purchase Financing of Public Safety Surveillance System

Motion Failed by the following roll call vote:

YEAS: Councilmembers Dunbar, Kaltenbach, Leeman, Matt

NAYS: Councilmembers Allen, Jeffries, Quinney, Wood

Councilmember Allen asked Jerry Ambrose, Executive Assistant to the Mayor, if video cameras were being stored in a warehouse in Lansing.

Lansing Police Chief Mark Alley stated that the cameras referred to in the Act 99 Installment Purchase Financing of Public Safety Surveillance System have not been purchased yet but several other cameras are being used and others are stored in undisclosed locations.

Councilmember Quinney announced that announced that the 1st annual Back-n-the-Day picnic would be held September 22, 2007 at 12 noon in Francis Park. He stated that more information can be obtained by calling Cheryl Pittman at 882-4958 or Jackie Benson at 977-1956.

Councilmember Matt announced that the following Neighborhood Association meetings would be taking place: Churchill Downs Community Association's meeting will be held this Tuesday at 6 p.m. at Wainwright Leadership Academy, Colonial Village Neighborhood Association's meeting will be held on Wednesday at 7 p.m. and Lewton/Rich Neighborhood Association's meeting will be held at

Dwight Rich School on Thursday at 7 p.m. He recognized a new Lansing resident, Joe LaJesse, who gathered volunteers to clean up trash on Martin Luther King Jr., Blvd. to ease debris from entering the river systems. He also recognized the Board of Water and Light and L&L Foodcenters for donating water and food to this clean-up effort.

Councilmember Allen stated that the Show Cause Hearing for 2508 Marcus St. was being pulled and returned to committee.

City Clerk Swope reminded everyone that photo identification will be required by state law to vote in at the polls starting with the City General Election in November. He announced that the American Association of University Women, Lansing Community College and the League of Women Voters will be hosting a candidate forum for the Lansing Community College Board of Trustees Candidates on September 24, 2007 from 7-8:30 p.m. at Dart Auditorium on the Lansing Community College campus.

SPEAKER REGISTRATION FOR PUBLIC COMMENT

(Clerk Swope announced that the public comment registration form(s) for those intending to address Council on legislative or City government matters will be collected and that only those persons who have fully completed the form(s) will be permitted to speak.)

MAYOR'S COMMENTS

Mayor Bernero announced that the Howard and Erna Soldan Dog Park is now open in Scott Woods Park near Hawk Island County Park. He spoke about Old Town winning IKEA's "Small Businesses, Big Dreams" contest. He spoke about the upcoming BluesFest. He spoke about the fall Adopt-A-River Clean-up. He urged the city council to adopt the resolution regarding Act 99 Installment Purchase Financing of Public Safety Surveillance System.

SHOW CAUSE HEARINGS

Comment on Scheduled Show Cause Hearings:

1. In consideration of the issuance of orders for Make Safe or Demolish to the owners of property located at 1108 N. High St.
2. In consideration of the issuance of orders for Make Safe or Demolish to the owners of property located at 2508 Marcus St.

Councilmember Allen gave a brief overview of Show Cause Hearing #1 and stated that Hearing #2 for 2508 Marcus St. was being pulled and returned to committee.

Amar Gupta of 12317 Onondaga Rd., Onondaga, MI stated that he was the owner of 2508 Marcus St. and he understood that the Show Cause Hearing for tonight was being sent back to the Public Safety Committee.

Rob Eschbach of 1228 Daisy Ln., East Lansing, MI spoke about 2508 Marcus St.

Luann Pfeifer of 204 Brynford Ave. stated that she is the property owner of 1108 N. High St. and that all necessary permit have been pulled and work is being completed.

REFERRAL OF SHOW CAUSE HEARINGS

1. In consideration of the issuance of orders for Make Safe or Demolish to the owners of property located at 1108 N. High St.

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

PUBLIC COMMENT ON LEGISLATIVE MATTERS

Public Comment on Legislative Matters:

Melissa DeyHasbrook of 355 N. Magnolia Ave. spoke in opposition to Act 99 Installment Purchase Financing of Public Safety Surveillance System.

Anaya Keaton of north west Lansing, spoke in opposition to Act 99 Installment Purchase Financing of Public Safety Surveillance System.

Alfonso Salas of 3705 N. Jolly Rd. asked to find a compromise regarding Act 99 Installment Purchase Financing of Public Safety Surveillance System.

Thomas Ryan of 4336 Chadburne Dr. spoke in support of Act 99 Installment Purchase Financing of Public Safety Surveillance System.

Thomas Ryan, on behalf of his wife, Celeste Ryan of 4336 Chadburne Dr., spoke in support of Act 99 Installment Purchase Financing of Public Safety Surveillance System.

Stan Shuck of 818 Cooper Ave. spoke about surveillance cameras proposed to be funded through Act 99 Installment Purchase Financing.

Bradley Jonker-Burla of 5876 Caleta Dr. spoke in opposition to Act 99 Installment Purchase Financing of Public Safety Surveillance System.

Christine Timmon of 2519 S. Washington Ave. spoke in opposition to Act 99 Installment Purchase Financing of Public Safety Surveillance System.

Darnell Oldham, Sr. of 3815 Berwick Dr. spoke in opposition to Act 99 Installment Purchase Financing of Public Safety Surveillance System.

Charlene Decker of 2711 Pleasant Grove Rd. spoke in opposition to Act 99 Installment Purchase Financing of Public Safety Surveillance System.

John Pollard of 1718 Blair St. spoke in opposition to Act 99 Installment Purchase Financing of Public Safety Surveillance System.

Cindy Redman of 609 W. Shiawassee St. spoke in support of Act 99 Installment Purchase Financing of Public Safety Surveillance System.

Ronald Kruger of 3333 Moores River Dr. spoke in opposition to Act 99 Installment Purchase Financing of Public Safety Surveillance System.

Don Dean of 1321 E. North St. spoke in opposition to Act 99 Installment Purchase Financing of Public Safety Surveillance System.

Dale Abronowitz of 1811 Sunset Ave. spoke in opposition to Act 99 Installment Purchase Financing of Public Safety Surveillance System.

Dayle Benjamin of 1323 N. Chestnut St. spoke in opposition to Act 99 Installment Purchase Financing of Public Safety Surveillance System.

Darla Artuso of 4590 Seaway Dr. spoke in support of Act 99 Installment Purchase Financing of Public Safety Surveillance System.

PUBLIC COMMENT ON CITY GOVERNMENT RELATED MATTERS:

Melissa DeyHasbrook of 355 N. Magnolia Ave. spoke about Safety in Lansing.

Anaya Keaton of north west Lansing, spoke about Safety in Lansing.

Dale Abronowitz of 1811 Sunset Ave. spoke about various city matters.

Gary Bodiford of 1120 N. Jenison Ave. spoke about various city matters.

Virginia Humble of 604 E. Frederick Ave. spoke about various city matters.

Christine Timmon of 2519 S. Washington Ave. spoke about various city matters.

Darnell Oldham, Sr. of 3815 Berwick Dr. spoke about various city matters.

Frank S. Curtis X of 1137 W. Allegan St. spoke about various city matters.

John Pollard of 1718 Blair St. spoke about various city matters.

Don Dean of 1321 E. North St. spoke about various city matters.

Charlene Decker of 2711 Pleasant Grove Rd. spoke about various city matters.

Ronald Kruger of 3333 Moores River Dr. spoke about various city matters.

Dru Vinson of 606 S. Fairview Ave. spoke about various city matters.

President Leeman recessed the Council Meeting 9:12 p.m.

President Leeman called the Council back to order at 9:23 p.m.

LEGISLATIVE MATTERS

RESOLUTIONS

RESOLUTION#381

BY THE COMMITTEE ON GENERAL SERVICES
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Westside Neighborhood Association has requested \$500.00 to defray costs associated with the first annual Back-n-the Day picnic to be held on September 22, 2007; and

WHEREAS, the Committee on General Services on September 10, 2007 reviewed the request and voted to approve an allocation of \$500 of which \$325 would be used to offset costs associated with the rental of park facilities and \$175 for other costs associated with the picnic; and

NOW, THEREFORE, BE IT RESOLVED, the Lansing City Council, hereby, approves an allocation of \$500 from the Community Promotion Funding Account to the Westside Neighborhood Association to defray costs associated with the Back-n-the Day picnic to be held on September 22, 2007 of which \$325 will be allocated for the rental of the park facility and \$175 for other costs associated with the picnic;

BE IT FURTHER RESOLVED, the Mayor and the Finance Department shall process this request by charging \$500.00 to the Community Funding Account – 101.112101.741289;

BE IT FINALLY RESOLVED, that the Westside Neighborhood Association shall submit a written analysis of the event, including information regarding the number of attendees, and a detail of their accounting of expenses to the Lansing City Council within 60 days after the event.

By Councilmember Kaltenbach

Motion Carried

RESOLUTION#382 – NOT ADOPTED

BY THE COMMITTEE ON WAYS AND MEANS
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the City of Lansing, Michigan (the "City") determines it to be necessary for the public health, safety and welfare of the City and its residents to acquire and install a Public Safety Surveillance System and related equipment (the "Property") for a cost currently estimated not-to-exceed \$350,000; and

WHEREAS, pursuant to the authority granted by Act No. 99, Public Acts of Michigan, 1933, as amended ("Act 99"), the legislative body of a city may enter into any contract or agreement for the purchase of lands, property or equipment for public purposes, to be paid for in installments over a period of not to exceed 15 years but in any case not to exceed the useful life of the property acquired, as the useful life shall be determined by resolution of the legislative body; and

WHEREAS, Act 99 requires that the outstanding balance of all purchases by a city under Act 99 shall not exceed one and one quarter percent (1-1/4%) of the taxable value of the real and personal property in such city at the date of such contract or agreement; and

WHEREAS, purchase of the Property by the City in an amount not-to-exceed \$350,000 pursuant to an installment purchase contract or agreement will not result in the outstanding balance of all purchases by the City under Act 99 exceeding one and one quarter percent (1-1/4%) of the taxable value of the real and personal property in the City; and

WHEREAS, this City Council determines that the most expeditious and efficient manner of acquiring the Property is pursuant to the authority granted by Act 99, and this City Council determines it to be in the best interest of the City to acquire the Property in accordance with the provisions of Act 99.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The Finance Director is hereby authorized to negotiate an installment purchase contract or agreement, in such form as the Finance Director shall deem to be necessary or appropriate, among the City, the persons offering to sell the Property to the City, and a bank or other financial institution. Principal payable pursuant to the installment purchase contract shall be payable over a period to be determined by the Finance Director but in any event not to exceed the useful life of the Property shown in Section 2 of this resolution or 15 years, whichever is less. The net interest cost payable under the installment purchase contract shall not exceed 6.00% per annum, and the principal amount to be paid by the City under the installment purchase contract shall not exceed \$350,000. The Finance Director is hereby authorized and directed to execute and deliver the installment purchase contract in final form.

2. The useful life of the Property is hereby determined to be not less than 5 years. The acquisition of the Property and the approval of the installment purchase contract hereby are found and declared to be for a valid public purpose and in the best interest of the welfare of the residents of the City.

3. The City hereby agrees to include in its budget for each year, commencing with the present fiscal year, a sum which will be sufficient to pay the principal of and the interest coming due under the installment purchase contract before each following fiscal year. In addition, the City agrees to levy sufficient taxes in an amount necessary to make its debt service payments under the installment purchase contract, subject to applicable constitutional, statutory and charter tax rate limitations.

4. The Finance Director is hereby directed and authorized to

execute such additional documentation as shall be necessary to effectuate the closing contemplated by the installment purchase contract and the assignment thereof, including requisition certificates (if provided by the form of installment purchase contract) providing payment to the sellers of the Property upon delivery of any portion of the Property or for reimbursement of previously appropriated or advanced costs.

5. The Finance Director is hereby authorized to make all administrative transfers necessary to implement this resolution, including current fiscal year debt service account, and to establish appropriate construction and financing accounts.

6. The City covenants that, to the extent permitted by law, it shall take all actions within its control necessary to maintain the exclusion of the interest component of the payments due under the installment purchase contract from adjusted gross income for general federal income tax purposes under Internal Revenue Code of 1986, as amended (the "Internal Revenue Code"), including but not limited to, actions relating to the rebate of arbitrage earnings, if applicable.

7. The City hereby makes the following declaration of intent for the purpose of complying with the reimbursement rules of Treas. Reg. § 1.150-2 pursuant to the Internal Revenue Code:

(a) The City reasonably expects to reimburse itself with proceeds of debt to be incurred by the City for the expenditures made to pay certain costs associated with the Property which were or will be paid subsequent to sixty (60) days prior to the date hereof from the general funds or capital fund of the City.

(b) As of the date hereof, the maximum principal amount of debt expected to be issued for reimbursement purposes, including reimbursement of debt issuance costs, is \$350,000, which debt may be issued in one or more series and/or together with debt for other purposes.

(c) A reimbursement allocation of the expenditures described in paragraph (a) above with the proceeds of the borrowing described herein will occur not later than 18 months after the later of (i) the date on which the expenditure is paid, or (ii) the date the Property is placed in service or abandoned, but in no event more than three (3) years after the original expenditure is paid. A reimbursement allocation is an allocation in writing that evidences the City's use of the proceeds of the debt to be issued for the Property to reimburse the City for a capital expenditure made pursuant to this Resolution.

(d) The expenditures for the Property are "capital expenditures" as defined in Treas. Reg. § 1.150-1(b), which are any costs of a type which are properly chargeable to a capital account (or would be so chargeable with a proper election or with the application of the definition of "placed in service" under Treas. Reg. § 1.150-2(c)) under general Federal income tax principles (as determined at the time the expenditure is paid).

(e) No proceeds of the borrowing paid to the City in reimbursement pursuant to this Resolution will be used in a manner described in Treas. Reg. § 1.150-2(h) with respect to abusive uses of such proceeds, including, but not limited to, using funds corresponding to the proceeds of the borrowing in a manner that results in the creation of replacement proceeds (within Treas. Reg. § 1.148-1) within one year of the reimbursement allocation described in (c) above.

8. The City recognizes that Miller, Canfield, Paddock and Stone, P.L.C. has represented from time to time, and currently represents, various banks, underwriters, financial institutions, sellers, contractors, and other potential participants in this financing for matters not related to this financing. The City appoints Miller, Canfield as counsel for this financing, notwithstanding the potential concurrent representation of any such participant regarding any unrelated matter.

9. The City hereby retains Stauder, Barch & Associates, Inc., as Financial Consultant to assist the City in preparation and planning for this financing.

10. The Mayor, City Clerk, and Finance Director of the City, and other officials and agents of the City, are each severally authorized to do all acts and things and, upon the advice of counsel, to execute any documents or certificates as may be necessary or desirable to deliver the aforesaid documents to the parties and to effectuate the transactions described therein and the purposes of this Resolution, and to pay any costs necessary to accomplish negotiation and execution of the installment purchase contract.

11. All resolutions and parts of resolutions insofar as they conflict with this resolution are hereby rescinded.

I hereby certify that the foregoing is a true and complete copy of a resolution duly adopted by the City Council of the City of Lansing, Counties of Ingham and Eaton, Michigan, at a Regular meeting held on _____, 2007, at 7:00 p.m. prevailing Eastern Time, and that said meeting was conducted and public notice of said meeting was given pursuant to and in full compliance with the Open Meetings Act, being Act 267, Public Acts of Michigan, 1976, and that the minutes of said meeting were kept and will be or have been made available as required by said Act 267.

I further certify that the following Members were present at said meeting: _____ and that the following Members were absent: _____.

I further certify that Member _____ moved for adoption of said resolution and that Member _____ supported said motion.

I further certify that the following Members voted for adoption of said resolution: _____ and that the following Members voted against adoption of said resolution: _____.

City Clerk

By Councilmember Wood

Consideration of this item was postponed temporarily

The Council proceeded to the order of:

**REPORTS FROM CITY OFFICERS, BOARDS, AND COMMISSIONS;
COMMUNICATIONS AND PETITIONS;
AND OTHER CITY RELATED MATTERS**

By Councilmember Jeffries that all items be considered as being read in full and that President Leeman make the appropriate referrals

Motion Carried

• Reports from City Officers, Board and Commissions:

a. Letter from the City Clerk submitting minutes of Boards and Authorities placed on file in the City Clerk's Office

RECEIVED AND PLACED ON FILE

b. Letter from the City Attorney re: Terrilyn Bell-Coker on behalf of the Estate of Martell Coker v City of Lansing, et al

RECEIVED AND PLACED ON FILE

- c. Affidavit of Disclosure filed by Paul H. Baerman, Member of the Lansing Board of Public Service

REFERRED TO THE BOARD OF ETHICS

- d. Letter from the Mayor requesting a Public Hearing to determine if 709 W. Saginaw St. is a public nuisance under Chapter 630 of the Codified Ordinances

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

- Communications and Petitions, and Other City Related Matters:
 - a. Letter from the State of Michigan, Department of Treasury providing notice of the issuance of an Obsolete Property Rehabilitation Exemption Certificate to PresVan, LLC for property located at 1820 Sunset Ave. & 2025 Melvin Ct.

REFERRED TO THE PLANNING AND DEVELOPMENT DEPARTMENT

- b. Letter from Waverly Community Schools submitting the 2007 Tax Levy and Millage Reduction Fraction Computation

REFERRED TO THE CITY ASSESSOR AND REFERRED TO THE TREASURY DEPARTMENT

- c. Final Invoice Notice from the National League of Cities for membership dues for the period August 1, 2007 – July 31, 2008

REFERRED TO THE FINANCE DEPARTMENT

The Council returned to the order of:

RESOLUTIONS

The question being the motion to adopt RESOLUTION #382

Motion Failed by the following roll call vote:

YEAS: Councilmembers Dunbar, Kaltenbach, Leeman, Matt

NAYS: Councilmembers Allen, Jeffries, Quinney, Wood

ABSENT: None

RESOLUTION# 383

BY THE COMMITTEE ON WAYS & MEANS
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

That the following FY 2008 transfers be approved:

Police
Administration

\$2,040.00 from Administration Donations 101.0.675012.0
\$2,040.00 to Administration Donations 101.343201.741880.0

(To appropriate Ruth Hallman donations revenue).

Police
Administration

\$2,040.00 from Administration Donations 101.343201.741880.0
\$2,040.00 to Admin Problem Solving Overtime 101.343201.708103.0

(To provide for expenditure of Ruth Hallman donated funds to the new Problem Solving Overtime account).

By Councilmember Wood

To excuse Councilmember Wood from voting on the resolution due to the appearance of a conflict of Interest

Motion Carried

By Councilmember Wood

To place an affirmative role on the resolution

Motion Carried (Councilmember Wood Abstaining)

REPORTS FROM COUNCIL COMMITTEES

There were no Committee Reports

ORDINANCES FOR INTRODUCTION

There were no Ordinances for Introduction

ORDINANCES FOR PASSAGE

There were no Ordinances for Passage

REMARKS BY THE MAYOR OR EXECUTIVE ASSISTANT

Jerry Ambrose, Executive Assistant to the Mayor thanked those councilmembers who voted yea on the Mayor's request for Act 99 Installment Purchase Financing of Public Safety Surveillance System. He stated that the Mayor's request was not being railroad through the City Council. He addressed concerns about the number of police officers in the city. He stated that the Mayor has added 7 police officers in recent years and that Lansing's Police force compares favorably to other cities its size. He stated that the Mayor is committed to bring surveillance camera system to Lansing.

The Council returned to the order of:

COMMUNICATIONS AND PETITIONS; AND OTHER CITY RELATED MATTERS

- d Letter from Scott Mooney of 25513 Five Mile Rd., Redford, MI regarding foreclosures

*SUSPENSION ITEM-REFERRED TO THE COMMITTEE OF THE WHOLE

- e. Six (6) electronic messages in opposition to Act 99 Installment Purchase Financing of Public Safety Surveillance System

*SUSPENSION ITEM-REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

- f. Kaltenbach; Request for recognition of non-profit status filed by Zoe M. Wilcox of Michigan Foundation for Education Leadership located at 1001 Centennial Way, Ste. 400

*SUSPENSION ITEM-REFERRED TO THE COMMITTEE ON GENERAL SERVICES

SEPTEMBER 17, 2007

COUNCIL PROCEEDINGS

309

ADJOURNED TIME 10:35 P.M.

CHRIS SWOPE, CITY CLERK



**OFFICIAL PROCEEDINGS OF
THE CITY COUNCIL
CITY OF LANSING
PROCEEDINGS OF SEPTEMBER 24, 2007**

City Council Chambers
Lansing, Michigan

The City Council of the City of Lansing met in regular session and was called to order at 7:00 p.m. by President Leeman.

PRESENT: Councilmembers Allen, Dunbar, Jeffries, Leeman, Matt, Quinney, Wood

ABSENT: Councilmember Kaltenbach

The Council observed a moment of Meditation followed by the Pledge of Allegiance led by President Leeman

APPROVAL OF MINUTES

By Councilmember Jeffries

To approve the printed Council Proceedings of September 17, 2007

Motion carried

CONSIDERATION OF LATE ITEMS

By Vice President Jeffries

To suspend City Council Rule #11 to allow for Consideration of Late Items

Motion carried

The following items were added to the agenda:

1. From Councilmember Jeffries; Letter from Melissa S. Quon Huber, Co-leader of Averill Woods Neighborhood Association regarding SLU-2-2007; 3215 W. Mt. Hope Ave., Special Land Use Permit to allow for a Telecommunications Tower

TABLED ITEMS

1. Requiring the owners of property located at 3325 Felt St. to Make Safe or Demolish their property within sixty days of July 16, 2007

SPECIAL CEREMONIES

• Special Ceremonies

1. Presentation; Hometown Hero Award to Jo Pamment

Mayor Bernero stated that Jo Pamment runs a program called A-Plus English Language School which is an Adult Education program with English as a Second Language. He spoke about Jo's commitment to diversity and how she helps immigrants transition into becoming Lansing area residents.

Mayor Bernero read the following proclamation:

WHEREAS: It is a distinct privilege to honor and recognize Jo Pamment

for her outstanding contributions on behalf of youth global relations to the Capitol City of Lansing, Michigan; and

WHEREAS: Ms. Pamment was instrumental in coordinating the Asan Sister City English Language Program for the Lansing Sister Cities Commission. This would be the first opportunity for Lansing to host twenty middle-school students from Asan, Korea; and

WHEREAS: During their stay, the students participated in a daily three hour morning session which concentrated English. In addition, the evenings allowed them time to be introduced to the community and to American culture. These activities included a minor league Lansing Lugnut's baseball game, the Ingham County Fair, visits to City Hall, the State Capitol, the Michigan Historical Museum, the Meridian Historical Village and local parks. The students even had time to participate in line-dance lessons; and

WHEREAS: Ms. Pamment works passionately at enhancing the education of languages. She is a member of the Michigan Teachers of English to Speakers of Other Languages (MITESOL) and shares her talents with the Community Volunteers for International Programs; and

WHEREAS: Additional educational commitments and contributions include representing Michigan at the English as a Second Language Literacy Research and Practice in Washington D.C. Ms. Pamment has served as a presenter at various workshops in both California and Michigan and provides staff development workshops in pronunciation for adult education programs around the state.

NOW, THEREFORE, I, VIRG BERNERO, Mayor of the City of Lansing, by the power vested in me do hereby proclaim September 24, 2007 as:

“Jo Pamment Day”

in Lansing and present her with a Hometown Hero Award. I urge all citizens to recognize and congratulate Jo Pamment for her dedication and service to Lansing's youth and education development.

Jo Pamment stated that the program she inherited has been around for over 35 years, and she has been involved for the past 13 years. She spoke about helping and giving hope to immigrants in acquiring the help they need to become comfortable in the Lansing area.

Mayor Bernero stated that the City of Lansing gives thousands of dollars to English as a Second Language programs which helps individuals become vital and productive Lansing residents.

2. Presentation; Recognition of City of Lansing Retirees

Councilmember Allen asked the City of Lansing retirees present to come forward. She stated that city employees work very hard and congratulated all of the retirees. She thanked Raymond Salazar, who retired from the Police Department.

Raymond Salazar stated that he was happy to have worked for the city.

Councilmember congratulated Marvin Helmker, who is retiring from the Fire department.

Marvin Helmker stated that he enjoyed working for the city and

thanked the Mayor, City Council and residents of Lansing for their support.

Mayor Bernero stated that Raymond Salazar and Marvin Helmker are two of the finest employees of the city and congratulated them on their retirements.

Councilmember Allen announced the names of the retirees not present and congratulated them.

3. Presentation; September Employee of the Month, Brian Carter

Councilmember Quinney stated that it is a pleasure to recognize Brian Carter for his outstanding work. He said that Brian has been employed with the City since 1997 and currently is an electrician in the Planning and Neighborhood Development Department. He spoke about Brian using his personal resources to clean the North Capitol Parking Ramp and congratulated him for being dedicated to Lansing and its citizens.

Brian Carter thanked everyone involved in his being nominated Employee of the Month. He stated that he tries to make his work environment brighter.

Christine Segerlind stated that Brian is a wonderful employee and always makes people laugh regardless of the happenings of the day.

Bob Johnson, Director of Planning and Neighborhood Development, concurred with Christine Segerlind's comments and stated that Brian has an electric personality and is definitely deserving of his award.

Mayor Bernero congratulated Brian Carter for his award and spoke about the need for recognizing employees who do great work.

COUNCILMEMBERS' COMMENTS AND CITY CLERK'S ANNOUNCEMENTS:

Councilmember Dunbar spoke about the Big Zoo Party at Potter Park Zoo this past weekend, and how she talked with zoo employees who were satisfied with the county management of the zoo. She announced that this Thursday, September 27, 2007 there will be a Healthy Community Summit at the Boys and Girls Club of Lansing at 4315 Pleasant Grove Rd. Non-profit organizations wishing to set up booths and citizens who seek health services are encouraged to call 483-4477 for more information. She spoke about the Neighborhood Associations of Michigan Conference which is being held this weekend at the Radisson Hotel in downtown Lansing. She stated that scholarships are available through the Planning and Neighborhood Development Department for those financially unable to afford the \$125 registration fee. The number to call regarding those scholarships is 372-6290.

Councilmember Quinney spoke about the Back-n-the-Day picnic that took place this past weekend at Francis Park and how it was more successful than expected. He thanked the City Council and Westside Neighborhood Association and Turkeyman for their support of this event. He especially thanked Murdoch Jemerson, Director of the Parks & Recreation Department and employees Brian and Charlie for making sure all of the events taking place in Francis Park went smoothly this past Saturday. He announced that there will be a future special ceremony to honor those responsible for making the event a success and to acknowledge recipients of awards given out at the picnic.

Councilmember Wood congratulated Rev. Murphy and St. Stephen's Community Church on celebrating their 20th anniversary this past Sunday. She announced that on Tuesday at noon, the Coachlight Neighborhood Association will be having their meeting at Mt. Hope Calvary Church on the corner of Waverly Rd. and Miller Rd. She stated that prosecutor Stuart Dunning would talk about sentencing guidelines as well as other concerns raised by the association at that meeting. Wood-Mere Neighborhood Organization will be meeting at Trinity A.M.E. on Holmes Rd. near Waverly Rd. on Thursday at 10:30 a.m. Daft

Neighborhood Watch will be meeting at Atwood School this Thursday evening at 6:30 p.m. On October 20, 2007, Freeland Industries at 405 E. Maple St. will be having a Document Destruction Day from 8:00 a.m. to 2:00 p.m. Residents, for free, will be able to shred sensitive documents which will eventually be recycled.

Councilmember Dunbar announced that Sagamore Hill Neighborhood Association will be meeting at 1631 Blair St. on Wednesday at 7:00 p.m. to discuss recent criminal activity and to plan a Halloween picnic. She spoke about the Fall Into Fitness event which will take place this weekend with a half marathon, and on Saturday and Sunday at the Lansing Center there will be a free fitness expo from 10:00 a.m. to 6:00 p.m. with lots of activities for families. More information can be obtained on the internet at www.healthyandfitmagazine.com.

Councilmember Quinney acknowledged the help of city employee Carol Munroe for her efforts to make the Back-n-the-Day picnic a success. He announced that the American Diabetes Association is having a Step Out to Fight Diabetes Walk on October 6, 2007, with registration from 8:00 a.m. to 9:00 a.m. at Oldsmobile Park. He stated that the City of East Lansing has challenged the City of Lansing to see which city has the most participants and raises the most money and encouraged his fellow City Councilmembers to attend.

Councilmember Leeman announced that the Northtown Neighborhood Association will be having their monthly meet on Tuesday, September 25, 2007 at Grand River School at 6:30 p.m.

City Clerk Swope announced that those watching the City Council meeting are missing the American Association of University Women, Lansing Community College and the League of Women Voters candidate forum for the Lansing Community College Board of Trustees Candidates at Lansing Community College. He stated that the event was being taped and would be rebroadcast on LCC Public Access station as well as on the radio and he will gather more information regarding that rebroadcast and put it on the City Clerk's website.

SPEAKER REGISTRATION FOR PUBLIC COMMENT

(Clerk Swope announced that the public comment registration form(s) for those intending to address Council on legislative or City government matters will be collected and that only those persons who have fully completed the form(s) will be permitted to speak.)

MAYOR'S COMMENTS

Mayor Bernero spoke about the fall edition of the Adopt-A-River Cleanup at Impression 5 Science Center. He spoke about the BluesFest in Old Town this past weekend and how it broke records for attendance. He stated that today he and 30 other mayors from around the state met with Governor Granholm to discuss the potential impact of a \$700 million cut in the state budget. He explained several ideas for revenue enhancement for cities. He spoke about the Rezoning request on the agenda regarding the former Holmes Street School Building. He spoke in favor of PRD-1-2006; 5300 Block of Wise Rd. Petition for Planned Residential Development filed by Lansing Church of God/New Faith Gardens, LLC. He spoke about the Fall Into Fitness festival this coming weekend and announced that the Capital City Half Marathon will take place this Sunday and is expected to draw over 2,000 participants. He stated that more information can be obtained regarding all of the Fall Into Fitness events taking place this Saturday and Sunday by logging onto www.lansingcenter.com. He spoke about the UAW strike on GM which commenced this morning and how it could have a devastating impact on Mid-Michigan. He urged GM and the UAW to reach an agreement quickly.

SHOW CAUSE HEARINGS

• Comment on Scheduled Show Cause Hearings:

There were no Show Cause Hearings

**PUBLIC COMMENT
ON LEGISLATIVE MATTERS**

• Public Comment on Legislative Matters:

Legislative Matters included the following public hearings:

1. In consideration of a Temporary Property Tax Exemption for non-profit housing organizations
2. In consideration of PRD-1-2006; 5300 Block of Wise Rd. Petition for Planned Residential Development filed by Lansing Church of God/New Faith Gardens, LLC

Councilmember Wood gave a brief overview of Public Hearing #1.

Councilmember Jeffries gave a brief overview of Public hearing #2.

City Clerk Swope stated that he received one (1) letter in favor of a Temporary Property Tax Exemption for non-profit housing organizations and a petition in opposition to PRD-1-2006. Both will become part of the Public Hearing records.

Grace Ferguson of 3307 Swanee Dr. spoke in opposition to PRD-1-2006.

William Hubbell of 3916 Wedgewood Dr. spoke in opposition to a Temporary Property Tax Exemption for non-profit housing organizations.

Jim Jackson of 3121 Nonette Dr. spoke in favor of PRD-1-2006.

Bob Gray of 422 Dadson Dr. asked the city council to have a neighborhood vote on PRD-1-2006. He spoke about Make Safe or Demolish issues in the city and various legislative matters.

Councilmember Allen addressed concerns about Make Safe or Demolish issues in the city.

Lynne Martinez of 1017 W. Lapeer St. spoke in support of a Temporary Property Tax Exemption for non-profit housing organizations

Marshall Hudson, no address given, spoke in support of PRD-1-2006.

Angelo Alvarado of 3012 Midwood St. spoke in opposition to PRD-1-2006.

William Doxie of 2380 Science Pkwy. spoke in support of PRD-1-2006.

Jay Moon of 5423 Catalpa Dr. spoke in opposition to PRD-1-2006.

John Pollard of 1718 Blair St. spoke in opposition to PRD-1-2006 and in support of a Temporary Property Tax Exemption for non-profit housing organizations. He also spoke in opposition to Public Improvement assessments.

Charlene Decker of 2711 Pleasant Grove Rd. spoke in opposition to PRD-1-2006.

Christine Timmon of 2519 S. Washington Ave. spoke in opposition to PRD-1-2006.

Brenda Cowles of 3301 Nonette Dr. spoke in opposition to PRD-1-2006.

Justin Sleight of 215 N. Capitol Ave. spoke in support of PRD-1-2006 and he spoke about the Oliver Towers project.

Samuel Duncan, Jr. of 5722 Castlebury Cir. spoke in support of PRD-1-2006.

Councilmember Allen asked Samuel Duncan, Jr. if in fact the proposed housing on Wise Rd. was affordable and he stated that it was according to market studies.

REFERRAL OF PUBLIC HEARINGS

1. In consideration of a Temporary Property Tax Exemption for non-profit housing organizations

REFERRED TO THE COMMITTEE ON WAYS AND MEANS AND INTERNAL AUDIT

2. In consideration of PRD-1-2006; 5300 Block of Wise Rd. Petition for Planned Residential Development filed by Lansing Church of God/New Faith Gardens, LLC

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

**PUBLIC COMMENT
ON CITY GOVERNMENT RELATED MATTERS:**

Dale Abronowitz of 1811 Sunset Ave. spoke about various city matters.

Christine Timmon of 2519 S. Washington Ave. spoke about various city matters.

Gary Bodiford of 1120 N. Jenison Ave. spoke about various city matters.

Bob Gray of 422 Dadson Dr. spoke about various city matters.

Frank S. Curtis X of 1137 W. Allegan St. spoke about various city matters.

Russell Terry of 121 E. Mt. Hope Ave. spoke about various city matters.

John Pollard of 1718 Blair St. spoke about various city matters.

Charlene Decker of 2711 Pleasant Grove Rd. spoke about various city matters.

Justin Sleight of 215 N. Capitol Ave. spoke about housing in the city.

Mayor Bernero addresses concerns about housing in the city.

LEGISLATIVE MATTERS

RESOLUTIONS

RESOLUTION#384

BY THE PLANNING AND DEVELOPMENT COMMITTEE
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING
BROWNFIELD PLAN #33 – The Abigail School for the Blind
Development

WHEREAS, the Lansing Brownfield Redevelopment Authority has prepared and forwarded an approved Brownfield Plan pursuant to and in accordance with the provisions of the Brownfield Redevelopment Financing Act, Public Act 381 of 1996, as amended, for property commonly referred to as 715 Willow, located in the City of Lansing; and

WHEREAS, prior to Council's action on this request, it is necessary to hold a public hearing on the Plan, to allow for any resident, taxpayer or ad valorem taxing unit the right to appear and be heard;

NOW, THEREFORE, BE IT RESOLVED that a public hearing be held in the City Council Chambers of the City of Lansing, 10th Floor, Lansing City Hall, Lansing, Michigan, on October 22, 2007 at 7:00 p.m. on Brownfield Plan #33 – The Abigail School for the Blind Development under the Brownfield Redevelopment Financing Act, for property located within the boundary more particularly described as:

PARCEL B PART OF THE SOUTHEAST 1/4 OF SECTION 8 AND THE SOUTHWEST 1/4 OF SECTION 9, T4N-R2W, CITY OF LANSING, INGHAM COUNTY, MICHIGAN AND PART OF LOT 3 OF BLOCK 26 AND LOT 1, BLOCK 27 AND VACATED WEST GRAND RIVER AVENUE OF THE "MAP OF THE SUBDIVISION OF BLOCKS 26 AND 27 IN TOWN OF MICHIGAN" AS RECORDED IN APRIL, 1849 BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS, COMMENCING AT A M.A.G. NAIL AT THE INTERSECTION OF THE WEST LINE OF NORTH PINE STREET (82.5 FEET WIDE) AND THE SOUTH LINE OF WEST WILLOW STREET (VARIABLE WIDTH), SAID POINT ALSO BEING THE NORTHEAST CORNER OF LOT 1, BLOCK 26 OF THE MAP OF THE SUBDIVISION OF BLOCKS 26 AND 27 IN TOWN OF MICHIGAN" AS RECORDED IN APRIL, 1849, THENCE N 88DEG 10MIN 25 SEC W, 593.56 FEET ALONG THE SOUTHERLY LINE OF WEST WILLOW STREET, THENCE 80.21 FEET ALONG 341.85 FOOT RADIUS CURVE TO THE LEFT, HAVING A DELTA ANGLE 13DEG 26MIN 36SEC AND A CHORD OF S 84 DEG 15 MIN 51 SEC W, 80.02 FEET ALONG THE SOUTHERLY LINE OF WEST WILLOW STREET TO THE POINT OF BEGINNING OF THE FOLLOWING DESCRIBED PARCEL, THENCE S 01 DEG 45 MIN 54 SEC W, 173.08 FEET; THENCE S 86 DEG 59 MIN 21 SEC E, 95.41 FEET TO THE WEST LINE OF LOT 2, BLOCK 26 THE "MAP OF THE SUBDIVISION OF BLOCKS 26 AND 27 IN TOWN OF MICHIGAN", THENCE S 01 DEG 45 MIN 54 SEC W, 76.74 FEET ALONG THE WEST LINE OF LOT 2, BLOCK 26 OF SAID PLAT TO THE NORTHWEST CORNER OF LOT 3, BLOCK 26 OF SAID PLAT, THENCE S 88 DEG 09 MIN 21 SEC E, 337.50 FEET ALONG THE NORTH LINE OF LOT 3, BLOCK 26 OF SAID PLAT, THENCE S 01 DEG 45 MIN 54 SEC W, 131.21 FEET TO THE NORTH LINE OF VACATED WEST GRAND RIVER AVENUE, THENCE S 88 DEG 08 MIN 49 SEC E, 240.00 FEET ALONG THE NORTH LINE OF VACATED WEST GRAND RIVER AVENUE TO THE WEST LINE OF NORTH PINE STREET (82.5 FEET), THENCE S 01 DEG 45 MIN 54 SEC W, 116.26 FEET ALONG THE WEST LINE OF NORTH PINE STREET, THENCE N 88 DEG 07 MIN 17 SEC W, 240.00 FEET, THENCE S 01 DEG 45 MIN 54 SEC W, 97.57 FEET TO THE SOUTH LINE OF LOT 1, BLOCK 27 OF SAID PLOT; THENCE N 88 DEG 08 MIN 21 SEC W, 292.91 FEET ALONG THE SOUTH LINE OF LOT 1, BLOCK 27 OF SAID PLAT, THENCE N 00 DEG 00 MIN 00 SEC W, 12.61 FEET, THENCE N 90 DEG 00 MIN 00 SEC W, 201.03 FEET, THENCE N 00 DEG 00 MIN 00 SEC E, 100.92 FEET, THENCE N 90 DEG 00 MIN 00 SEC W, 156.08 FEET TO THE EAST LINE OF VACATED RODGERS STREET, THENCE N 01 DEG 45 MIN 54 SEC E, 242.25 FEET ALONG THE EAST LINE OF VACATED RODGERS STREET, THENCE N 87 DEG 57 MIN 11 SEC W, 66.00 FEET TO THE WEST LINE OF VACATED RODGERS STREET, THENCE N 01 DEG 45 MIN 54 SEC E, 120.32 FEET ALONG THE WEST LINE OF VACATED RODGERS STREET TO THE SOUTH LINE OF WEST WILLOW STREET (VARIABLE WIDTH), THENCE ALONG THE SOUTH LINE OF WEST WILLOW STREET THE FOLLOWING THREE (3) COURSES. (1) 30.60 FEET ALONG 469.38 FOOT RADIUS CURVE TO THE LEFT, HAVING A DELTA ANGLE OF 03 DEG 44 MIN 07 SEC AND A CHORD OF N 67 DEG 27 MIN 20 SEC E, 30.60 FEET; (2) N 65 DEG 35 MIN 20 SEC E, 213.68 FEET; (3) 71.32 FEET ALONG 341.85 FOOT RADIUS CURVE TO THE RIGHT, HAVING A DELTA ANGLE OF 11 DEG 57 MIN 12 SEC AND A CHORD OF N 71 DEG 33 MIN 12 SEC E, 71.19 FEET TO THE POINT OF BEGINNING, CONTAINING 6.60 ACRES MORE OR LESS AND SUBJECT TO THE RIGHTS OF THE PUBLIC OVER WEST WILLOW STREET. ALSO SUBJECT TO ANY EASEMENTS OR RESTRICTIONS OF USE OR RECORD.

And that the City Clerk cause notice of such hearing to be published twice in a publication of general circulation, no less than 20 days or more than 40 days prior to the date of the public hearing, and that the City Clerk also cause the legislative body of each taxing unit levying ad valorem taxes on this property, to be notified of Brownfield Plan #33 and the scheduled public hearing.

By Councilmember Jeffries

Motion Carried

RESOLUTION #385

BY THE PLANNING AND DEVELOPMENT COMMITTEE
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING
BROWNFIELD PLAN #34 – The Library School for the Blind
Development

WHEREAS, the Lansing Brownfield Redevelopment Authority has prepared and forwarded an approved Brownfield Plan pursuant to and in accordance with the provisions of the Brownfield Redevelopment Financing Act, Public Act 381 of 1996, as amended, for property commonly referred to as 600 Maple, located in the City of Lansing; and

WHEREAS, prior to Council's action on this request, it is necessary to hold a public hearing on the Plan, to allow for any resident, taxpayer or ad valorem taxing unit the right to appear and be heard;

NOW, THEREFORE, BE IT RESOLVED that a public hearing be held in the City Council Chambers of the City of Lansing, 10th Floor, Lansing City Hall, Lansing, Michigan, on October 22, 2007 at 7:00 p.m. on Brownfield Plan #34 – The Library School for the Blind Development under the Brownfield Redevelopment Financing Act, for property located within the boundary more particularly described as:

PARCEL I PART OF THE SOUTHWEST 1/4 OF SECTION 9, T4N-R2W, CITY OF LANSING, INGHAM COUNTY, MICHIGAN AND PART OF LOTS 1, 2 AND 3 OF BLOCK 27 OF THE "MAP OF THE SUBDIVISION OF BLOCKS 26 AND 27 IN TOWN OF MICHIGAN" AS RECORDED IN APRIL, 1849 BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS, COMMENCING AT A M.A.G. NAIL AT THE INTERSECTION OF THE WEST LINE OF NORTH PINE STREET (82.5 FEET) AND THE SOUTH LINE OF WEST WILLOW STREET (VARIABLE WIDTH), SAID POINT ALSO BEING THE NORTHEAST CORNER OF LOT 1, BLOCK 26 OF THE "MAP OF THE SUBDIVISION OF BLOCKS 26 AND 27 IN TOWN OF MICHIGAN" AS RECORDED IN APRIL, 1849, THENCE S 01 DEG 45 MIN 54 SEC W, 510.00 FEET ALONG THE WEST LINE OF PINE STREET TO THE POINT OF BEGINNING OF THE FOLLOWING DESCRIBED PARCEL, THENCE S 01 DEG 45 MIN 54 SEC W, 360.00 FEET ALONG THE WEST LINE OF PINE STREET TO THE NORTH LINE OF MAPLE STREET (82.5 FEET) AND THE SOUTH LINE OF LOT 3, BLOCK 27 OF SAID PLOT, THENCE N 88 DEG 07 MIN 17 SEC W, 240.00 FEET ALONG THE NORTH LINE OF MAPLE STREET AND THE SOUTH LINE OF LOT 3, BLOCK 27 OF SAID PLOT, THENCE N 01 DEG 45 MIN 54 SEC E, 360.00 FEET, THENCE S 88 DEG 07 MIN 17 SEC E, 240.00 FEET TO THE POINT OF BEGINNING, CONTAINING 1.98 ACRES MORE OR LESS AND SUBJECT TO THE RIGHTS OF THE PUBLIC OVER NORTH PINE STREET. ALSO SUBJECT TO ANY EASEMENTS OR RESTRICTIONS OF USE OR RECORD.

And that the City Clerk cause notice of such hearing to be published twice in a publication of general circulation, no less than 20 days or more than 40 days prior to the date of the public hearing, and that the City Clerk also cause the legislative body of each taxing unit levying ad valorem taxes on this property, to be notified of Brownfield Plan #34 and the scheduled public hearing.

By Councilmember Jeffries

Motion Carried

RESOLUTION#386

BY THE COMMITTEE ON DEVELOPMENT AND PLANNING
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

Obsolete Property Rehabilitation Tax Exemption Certificate Approval,
906 Terminal Road.

WHEREAS, pursuant to the Michigan Obsolete Property Rehabilitation Act, being Public Act 146 of 2000 (PA 146 of 2000), International Association of Heat & Frost Insulators Retirement Trust Plan has filed an application for an Obsolete Property Rehabilitation Exemption Certificate (OPT Certificate) with the Lansing City Clerk, for a proposed obsolete facility at 906 Terminal Road, Lansing, Michigan (Obsolete Property); and

WHEREAS, International Association of Heat & Frost Insulators Retirement Trust Plan (the Developer) owns the proposed Obsolete Property; and

WHEREAS, the proposed Obsolete Property is located within an Obsolete Property Rehabilitation District legally established by resolution adopted July 17, 2007, after a public hearing was held, as provided by section 3 of PA 146 of 2000; and

WHEREAS, a public hearing was held on September 10, 2007 on the Developer's application for an OPT Certificate, after proper notice was made, pursuant to section 4(2) of PA 146 of 2000; and

WHEREAS, the Developer has represented and committed to the City to undertake, and complete not later than September 1, 2009, the rehabilitation, renovation, and reconstruction of the Obsolete Property into office and training center use throughout the structure;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council hereby approves of the issuance of an Obsolete Property Rehabilitation Exemption Certificate to International Association of Heat & Frost Insulators Retirement Trust Plan, for the Obsolete Property located at 906 Terminal Road, Lansing, Michigan, legally described as:

LOT 7 CAPITAL CITY WAREHOUSING SUB

for the period of twelve (12) consecutive years.

BE IT FURTHER RESOLVED that the Lansing City Council, in approving the Developer's application by this resolution, finds and determines all of the following;

1. The taxable value of the property proposed to be exempt plus the aggregate taxable value of the property already exempt under PA 146 of 2000 and under Public Act 198 of 1974 (IFT's) does exceed five percent (5%) of the total taxable value of the City of Lansing
2. The applicant is not delinquent in any taxes related to the facility.
3. All of the items described on line 9 of the Application for Obsolete Property Rehabilitation Exemption Certificate have been provided to the City of Lansing by the applicant.
4. The application is for obsolete property as defined in section 2(h) of PA 146 of 2000.
5. The commencement of rehabilitation activities of the facility did not occur prior to the establishment of the Obsolete Properties Rehabilitation District.

6. The application relates to the rehabilitation program for the building located at 906 Terminal Road., Lansing, Michigan and, when completed, will constitute a rehabilitated facility within the meaning of PA 146 of 2000 and the facility is situated within the Obsolete Property Rehabilitation District established by the City of Lansing, which is a Qualified Local Governmental Unit eligible under PA 146 of 2000 to establish such a district.
7. The completion of the rehabilitated facility is calculated to, and will at the time of issuance of the certificate, have the reasonable likelihood to, increase commercial activity, create some employment, and revitalize an urban area.
8. The rehabilitation includes improvements aggregating ten percent (10%) or more of the true cash value of the property at the commencement of the rehabilitation as provided by section 2(L) of PA 146 of 2000.
9. The rehabilitation must be completed not later than September 1, 2009 as evidence by the issuance of a Certificate of Occupancy from the City of Lansing Building Safety Office.

BE IT FINALLY RESOLVED that the City Clerk shall cause the Application for Obsolete Property Rehabilitation Certificate to be completed, including the "Clerk Certification" and shall file the completed application, together with a certified copy of this resolution with the State Tax Commission.

By Councilmember Jeffries

Motion Carried

RESOLUTION#387

BY THE COMMITTEE ON PUBLIC SAFETY
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Code Compliance Manager has determined that the building located at **1237 Allen St., Parcel #3301.01.22.281.092** legally described as: **Lots 112 & 113 Parkview Land Co Sub** is an unsafe or dangerous building as defined in Section 1460.24 of the Lansing Uniform Housing Code and the Housing Law of Michigan and was red tagged on **June 1, 2004**; and

WHEREAS, a hearing was held by the Hearing Officers on **June 28, 2007**, at which the Hearing Officers determined that said building was an unsafe and dangerous building and ordered the building demolished or made safe by **July 26, 2007**; and

WHEREAS, said Hearing Officers filed a report of their findings and order with the City Council and requested the City Council to take appropriate action under the Lansing Housing and Premises Code and the Housing Law of Michigan; and

WHEREAS, the Housing Law of Michigan and Premises Code require a hearing be conducted to give the property owner an opportunity to show cause why a dangerous structure should not be demolished or otherwise made safe; and

WHEREAS, the City Council held a public hearing on **September 10, 2007**, to review the findings and the order of the Hearing Officers and the owners were notified in writing of said hearing and had an opportunity to appear and show cause why said building should not be demolished or otherwise made safe; and

WHEREAS, the Code Compliance Office has determined that compliance with the order of the Lansing Demolition Hearing Board Officer has not occurred; and

NOW, THEREFORE, BE IT RESOLVED that the owner(s) of **1237 Allen St.** are hereby directed to comply with the order of the Hearing Officers to demolish or otherwise make safe the said building within **thirty (30) days** from the date of this resolution, **Monday, September 24, 2007.**

BE IT FURTHER RESOLVED that the property owner(s) is hereby notified that this order must be appealed within twenty days pursuant to MCL 125.542 and should the owners fail to comply with the Hearing Officers' order for demolition or make safe, the Manager of Code Compliance is hereby directed to proceed with demolition of said building.

BE IT FURTHER RESOLVED whether demolition is accomplished by said property owner or the city that appropriate seeding and restoration of property take place to avoid run-off to adjacent properties.

BE IT FURTHER RESOLVED that the cost of such demolition shall be a lien against the real property and shall be reported to the City Assessor.

BE IT FINALLY RESOLVED that the owners in whose name the property appears upon the last local tax assessment record shall be notified by the City Assessor of the amount of such cost by first class mail at the address shown on the records. Upon the owners failure to pay the same within thirty (30) days after mailing by the City Assessor of the notice of the amount thereof, the amount of said costs shall be a lien and shall be filed and recovered as provided by law and the lien shall be collected and treated in the same manner as provided for property tax liens under the general property tax act.

By Councilmember Allen

Motion Carried

RESOLUTION#388

BY THE COMMITTEE ON PUBLIC SAFETY
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Code Compliance Manager has determined that the building located at **907 S. Holmes, Parcel #3301.01.22.202.021** legally described as: **Lots 24 & 25 Excelsior Land Company Sub** is an unsafe or dangerous building as defined in Section 1460.24 of the Lansing Uniform Housing Code and the Housing Law of Michigan and was red tagged on **December 19, 2006;** and

WHEREAS, a hearing was held by the Hearing Officers on **June 28, 2007**, at which the Hearing Officers determined that said building was an unsafe and dangerous building and ordered the building demolished or made safe by **July 26, 2007;** and

WHEREAS, said Hearing Officers filed a report of their findings and order with the City Council and requested the City Council to take appropriate action under the Lansing Housing and Premises Code and the Housing Law of Michigan; and

WHEREAS, the Housing Law of Michigan and Premises Code require a hearing be conducted to give the property owner an opportunity to show cause why a dangerous structure should not be demolished or otherwise made safe; and

WHEREAS, the City Council held a public hearing on **September 10, 2007**, to review the findings and the order of the Hearing Officers and the owners were notified in writing of said hearing and had an opportunity to appear and show cause why said building should not be demolished or otherwise made safe; and

WHEREAS, the Code Compliance Office has determined that compliance with the order of the Lansing Demolition Hearing Board Officer has not occurred; and

NOW, THEREFORE, BE IT RESOLVED that the owner(s) of **907 S. Holmes** are hereby directed to comply with the order of the Hearing

Officers to demolish or otherwise make safe the said building within **thirty (30) days** from the date of this resolution, **Monday, September 24, 2007.**

BE IT FURTHER RESOLVED that the property owner(s) is hereby notified that this order must be appealed within twenty days pursuant to MCL 125.542 and should the owners fail to comply with the Hearing Officers' order for demolition or make safe, the Manager of Code Compliance is hereby directed to proceed with demolition of said building.

BE IT FURTHER RESOLVED whether demolition is accomplished by said property owner or the city that appropriate seeding and restoration of property take place to avoid run-off to adjacent properties.

BE IT FURTHER RESOLVED that the cost of such demolition shall be a lien against the real property and shall be reported to the City Assessor.

BE IT FINALLY RESOLVED that the owners in whose name the property appears upon the last local tax assessment record shall be notified by the City Assessor of the amount of such cost by first class mail at the address shown on the records. Upon the owners failure to pay the same within thirty (30) days after mailing by the City Assessor of the notice of the amount thereof, the amount of said costs shall be a lien and shall be filed and recovered as provided by law and the lien shall be collected and treated in the same manner as provided for property tax liens under the general property tax act.

By Councilmember Allen

Motion Carried

RESOLUTION#389

BY THE COMMITTEE ON PUBLIC SAFETY
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Code Compliance Manager has determined that the building located at **2212 Stirling, Parcel #3301.01.29.232.141** legally described as: **Lot 24 Block 10 Elmhurst Sub** is an unsafe or dangerous building as defined in Section 1460.24 of the Lansing Uniform Housing Code and the Housing Law of Michigan and was red tagged on **March 6, 2006;** and

WHEREAS, a hearing was held by the Hearing Officers on **June 28, 2007**, at which the Hearing Officers determined that said building was an unsafe and dangerous building and ordered the building demolished or made safe by **July 26, 2007;** and

WHEREAS, said Hearing Officers filed a report of their findings and order with the City Council and requested the City Council to take appropriate action under the Lansing Housing and Premises Code and the Housing Law of Michigan; and

WHEREAS, the Housing Law of Michigan and Premises Code require a hearing be conducted to give the property owner an opportunity to show cause why a dangerous structure should not be demolished or otherwise made safe; and

WHEREAS, the City Council held a public hearing on **September 10, 2007**, to review the findings and the order of the Hearing Officers and the owners were notified in writing of said hearing and had an opportunity to appear and show cause why said building should not be demolished or otherwise made safe; and

WHEREAS, the Code Compliance Office has determined that compliance with the order of the Lansing Demolition Hearing Board Officer has not occurred; and

NOW, THEREFORE, BE IT RESOLVED that the owner(s) of 2212 Stirling are hereby directed to comply with the order of the Hearing Officers to demolish or otherwise make safe the said building within sixty (60) days from the date of this resolution, Monday, September 24, 2007.

BE IT FURTHER RESOLVED that the property owner(s) is hereby notified that this order must be appealed within twenty days pursuant to MCL 125.542 and should the owners fail to comply with the Hearing Officers' order for demolition or make safe, the Manager of Code Compliance is hereby directed to proceed with demolition of said building.

BE IT FURTHER RESOLVED whether demolition is accomplished by said property owner or the city that appropriate seeding and restoration of property take place to avoid run-off to adjacent properties.

BE IT FURTHER RESOLVED that the cost of such demolition shall be a lien against the real property and shall be reported to the City Assessor.

BE IT FINALLY RESOLVED that the owners in whose name the property appears upon the last local tax assessment record shall be notified by the City Assessor of the amount of such cost by first class mail at the address shown on the records. Upon the owners failure to pay the same within thirty (30) days after mailing by the City Assessor of the notice of the amount thereof, the amount of said costs shall be a lien and shall be filed and recovered as provided by law and the lien shall be collected and treated in the same manner as provided for property tax liens under the general property tax act.

By Councilmember Allen

Motion Carried

RESOLUTION#390

BY THE COMMITTEE ON PUBLIC SERVICE
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

PUBLIC IMPROVEMENT IV

WHEREAS, pursuant to the Public Improvement III resolution adopted by this council, the City Assessor held a public hearing on August 27, 2007, for Assessment Roll # B-087 for sidewalk construction and repair, and furnished the following information:

PROJECT TITLE: 2007 Sidewalk Repair "A" Project
P.S. #01090

PROPERTY BENEFITED:
SIDEWALK: An area bounded by Oakland Avenue, North Washington Avenue, Willow Street, North Grand River Avenue and Seymour Avenue; And also the south side of Ionia Street from North Martin Luther King Jr. Blvd. to Pine Street. Excepting all public streets and alleys And other land deemed not benefited.

ENGINEER'S ESTIMATE. COST OF IMPROVEMENTS:

Assessment Roll Number B-087	City Contribution	Assessable to Property Owner
Sidewalk	\$152,987.87	\$63,826.04
Drive Approaches	\$0.00	\$11,671.35
Other Cost	\$57,317.75	\$0.00
Total	\$210,305.62	\$75,497.39

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby directs that special assessment roll number B-087 as returned by the City Assessor, be ratified and confirmed.

BE IT FINALLY RESOLVED that the interest rate to be added to the special assessment installment payments shall be set at 5.03% in accordance with Chapter 1026.07 (a) (2) (F).

By Councilmember Dunbar

To place an affirmative roll on the resolution

By Councilmember Quinney

To amend the resolution by inserting the clause "BE IT FINALLY RESOLVED that the interest rate to be added to the special assessment installment payments shall be set at 5.03% in accordance with Chapter 1026.07 (a) (2) (F)." after the Resolved clause

Motion Carried

The question being the motion to place an affirmative role on the resolution

Motion Carried

RESOLUTION#391

BY THE COMMITTEE ON PUBLIC SERVICES
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

PUBLIC IMPROVEMENT I/III

WHEREAS, pursuant to the Public Improvement I, adopted by this Council, the Director of Public Service has completed the plans and specifications and furnished the following information:

PROJECT TITLE: PS# 01086
Picardy Street from Miller Road to Bliesener Street

PROPERTY BENEFITED CURB AND GUTTER: All lands fronting on Picardy Street from Miller Road to Bliesener Street, excepting all public streets and alleys and other land deemed not benefited.

PROPERTY BENEFITED STORM SEWER: All lands fronting on Picardy Street from Miller Road to Bliesener Street, excepting all public streets and alleys and other land deemed not benefited.

WHEREAS, the City Assessor has completed the assessment roll for curb and gutter, based upon contract costs and other related costs of construction, and furnished the following information:

COST OF IMPROVEMENTS:

Assessment Roll Number G392	City Contribution	Assessable to Property Owner
Curb and Gutter Costs	\$1,650.82	\$12,722.96
Storm Sewer Costs	\$0.00	\$0.00
Driveway Costs	\$759.00	\$1,863.00
Other Costs	\$25,929.00	\$0.00
Total	\$28,338.82	\$14,585.96

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby directs that the above-mentioned plans, specifications, and

other pertinent information regarding this project be received, approved, and placed on file for public inspection; and

BE IT FURTHER RESOLVED the Lansing City Council will hold a public hearing on October 8, 2007, in the Council Chambers, to review, prior to confirmation, said assessment roll; and

BE IT FURTHER RESOLVED that the City Clerk and the Public Service Director are hereby requested to give due notice of this public hearing as provided by Chapter 1020, Section 1026.06 (c) (1), of the Code of Ordinances by publishing a notice of a public hearing in a daily newspaper of the City, not more than twenty days and not less than ten days before such public hearing. Said notice shall include the time and place of the hearing; a description of the section or area of the City in the special assessment roll; where the special assessment roll is on file and may be examined; that any person aggrieved by the assessments as contained in the special assessment roll, or the necessity of the improvement, may file a written objection thereto which must be delivered to the City Clerk prior to the close of the hearing, or the person may appear and protest the same at the public hearing in person or by his or her representative; that the appearance and protest or written protest in the manner described is required if the person desires to appeal the amount of the assessment to the Michigan Tax Tribunal; and that any appeal to the Michigan Tax Tribunal must be taken within thirty days of the confirmation of the special assessment roll, provided a protest was timely made.

BE IT FINALLY RESOLVED that the pursuant to the requirement of 1962 PA 162, as amended, MCL 211.741, et seq.; appearance and protest at the hearing in the special assessment proceedings is required in order to appeal the amount of the special assessment to the State Tax Tribunal. An owner or party in interest, or his or her agent may appear in person at the hearing to protest the special assessment, or shall be permitted to file his or her appearance or protest by letter and his or her personal appearance shall not be required.

Funds are available for the City of Lansing's share of said project in accounts as follows:

	Amount	Account Number
City Share of Costs	\$28,338.82	203.453601.974100.50004
Assessment Roll	\$14,585.96	Account to be Established

By Councilmember Dunbar

Motion Carried

REPORTS FROM COUNCIL COMMITTEES

There were no Committee Reports

ORDINANCES FOR INTRODUCTION

There were no Ordinances for Introduction

ORDINANCES FOR PASSAGE

There were no Ordinances for Passage

REPORTS FROM CITY OFFICERS, BOARDS, AND COMMISSIONS; COMMUNICATIONS AND PETITIONS; AND OTHER CITY RELATED MATTERS

By Councilmember Jeffries that all items be considered as being read in full and that President Leeman make the appropriate referrals

Motion Carried

• Reports from City Officers, Board and Commissions:

- a. Letter from the City Clerk submitting minutes of Boards and Authorities placed on file in the City Clerk's Office

RECEIVED AND PLACED ON FILE

- b. Letter from the City Attorney re: Patricia Shepard v City of Lansing

RECEIVED AND PLACED ON FILE

- c. Report from the Memorial Review Board regarding an application filed by Richard E. Leeper to rename the baseball field at Westside Park to Leeper's Field

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

- d. Letters from the Mayor re:
 - i. Public Improvement II/III; Curb and Gutter, Storm Sewer for all lands fronting on Picardy Street from Miller Road to Bliesener Street, excepting all public streets and alleys and other lands deemed not benefited

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES

- ii. Sole Source Purchase; Building Maintenance Division request for Overhead Door Company as the vendor for overhead door installation of six (6) overhead doors at Fire Station #8

REFERRED TO THE COMMITTEE ON WAYS AND MEANS AND INTERNAL AUDIT

- iii. Requests for Waivers of the Provisions of the Noise Ordinance contained in Chapter 654 of the Code of Ordinances for the Downtown 2008/Grand Ave.-Walnut St. Project Area, CSO 018 Southwest Project Area, CSO 045 Project Area, CSO 013 Northeast Project Area, CSO 034A Project Area

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

- iv. SLU-3-2007; 209 N. Walnut St., Planning Board recommendations regarding a request for a Special Land Use Permit filed by Samina Shahabuddin to utilize a portion of the building at 209 N. Walnut St. for church services

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

- v. Z-7-2007; 1030 S. Holmes St., Planning Board recommendations regarding a request filed by Spartan Internet Consulting Corporation for rezoning from "B" Residential to "D-1" Professional Office District to permit the conversion of the former Holmes Street School Building to offices for Spartan Internet Consulting Corporation

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

- vi. Z-5-2007; 600 S. Capitol Ave., Planning Board recommendations regarding a request filed by

AnnaBelle & Associates, Inc. for rezoning from "D-1" Professional Office District to "F-1" Commercial District to construct an addition to the building, improve the parking area and establish a day care center for dogs with available overnight care, grooming services and a small retail pet store

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

- vii. Proposed Zoning Ordinance Amendments – Conditional Zoning

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

• Communications and Petitions, and Other City Related Matters:

- a. Contracts between the State of Michigan Department of Transportation and the City of Lansing for:
 - i. Part A – Federal and State Participation: Hot mix asphalt paving work along Martin Luther King, Jr. Blvd. from the Grand River Bridge to Marquette St.; including cold milling, concrete curb and gutter, and concrete sidewalk work; and all together with necessary related work
 - Part B – No Federal or State Participation; Audiovisual taping and sanitary sewer work along Martin Luther King, Jr. Blvd. from the Grand River Bridge to Marquette St.; and all together with necessary related work

REFERRED TO THE CITY ATTORNEY

- ii. Local Jobs Today Program Loan

REFERRED TO THE COMMITTEE ON WAYS AND MEANS AND INTERNAL AUDIT

- b. Letters from Ingham Intermediate School District submitting the 2007 Tax Levy and Millage Reduction Fraction Computation for:
 - i. Ingham Intermediate School District

REFERRED TO THE CITY ASSESSOR

- ii. Okemos Public Schools

REFERRED TO THE CITY ASSESSOR

- c. Request for recognition of non-profit status filed by Cody Goul of Capital Foundation for Arts and Culture located at 2025 Sunnyside Ave.

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

- d. Request for recognition of non-profit status filed by Mattie Brown of Michigan Scholarship Trust Fund located at 1200 E. Grand River Ave.

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

- e. Petition filed by Wexford Heights Subdivision Area residents containing eighteen (18) signatures in opposition to PRD-1-2006; 5300 Block of Wise Rd., Petition for Planned Residential Development filed by New Faith Gardens, LLC for the purpose of constructing 24 townhouses and 24 senior citizen apartments

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING AND REFERRED TO THE PLANNING AND DEVELOPMENT DEPARTMENT

- f. Letter from Melissa Dey Hasbrook of 335 N. Magnolia Ave. regarding ACT 99 Installment Purchase Financing of Public Safety Surveillance System

REFERRED TO THE COMMITTEE ON WAYS AND MEANS AND INTERNAL AUDIT

- g. Letter from Tom Ryan of 4336 Chadburne Dr. submitting names of neighborhood watch supporters of ACT 99 Installment Purchase Financing of Public Safety Surveillance System

REFERRED TO THE COMMITTEE ON WAYS AND MEANS AND INTERNAL AUDIT

- h. Letter from Fred Williams of 350 E. Gier St. requesting the issuance of orders for Make Safe or Demolish to the property owners of a building on E. Kalamazoo St.

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY AND REFERRED TO CODE COMPLIANCE

- i. Memo from Melissa S. Quon Huber, Co-leader of Averill Woods Neighborhood Association regarding SLU-2-2007; 3215 W. Mt. Hope Ave., Special Land Use Permit to allow for a Telecommunications Tower

*SUSPENSION ITEM – REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

MOTION OF EXCUSED ABSENCE

By Councilmember Allen

To excuse councilmember Kaltenbach from tonight's proceedings

Motion Carried

REMARKS BY COUNCILMEMBERS

Councilmember Wood asked the Mayor about to see if the branches on the right-of-way of 6200 Yunker St. could finally be removed by the Public Service Department due to a tree falling in the street from another property.

Councilmember Allen asked her fellow Councilmembers to have a piece of cake after the meeting in honor of her birthday.

City Clerk Swope spoke about the state law passed in 1997 regarding the requirement of photo identification to vote at the polls.

Councilmember Dunbar stated that photo identification is required in the State of Michigan at all times.

Councilmember Allen asked if the identifications required were in fact photo identification; City Clerk Swope said yes, the identification must have a photo.

**REMARKS BY THE MAYOR
OR EXECUTIVE ASSISTANT**

ADJOURNED TIME 9:40 P.M.

CHRIS SWOPE, CITY CLERK



**OFFICIAL PROCEEDINGS OF
THE CITY COUNCIL
CITY OF LANSING
PROCEEDINGS OF OCTOBER 1, 2007**

City Council Chambers
Lansing, Michigan

The City Council of the City of Lansing met in regular session and was called to order at 7:00 p.m. by President Leeman.

PRESENT: Councilmembers Allen, Dunbar, Jeffries, Kaltenbach, Leeman, Matt, Quinney, Wood

ABSENT: None

The Council observed a moment of Meditation followed by the Pledge of Allegiance led by President Leeman

APPROVAL OF MINUTES

By Councilmember Jeffries

To approve the printed Council Proceedings of September 24, 2007

Motion carried

CONSIDERATION OF LATE ITEMS

By Vice President Jeffries

To suspend City Council Rule #11 to allow for Consideration of Late Items

Motion carried

The following item was added to the agenda:

1. From Councilmember Jeffries; Letter from the Mayor regarding a proposed Home Occupation Ordinance

TABLED ITEMS

1. Requiring the owners of property located at 3325 Felt St. to Make Safe or Demolish their property within sixty days of July 16, 2007

SPECIAL CEREMONIES

• Special Ceremonies

1. Proclamation; Declaring October 1, 2007 as Nigeria Day in Lansing

Mayor Bernero stated that the Nigerians present are all professionals living in the Lansing area.

Bunmi Akinyemtuu thanked the Mayor and City Council for Nigeria Day and stated that Nigeria received its independence in 1960. He introduced the Nigerian Professionals present.

Mayor Bernero read the following Proclamation:

WHEREAS: It is a privilege and honor to join with the Greater Lansing

Area Nigerian Community Professionals to recognize Nigeria's Independence Day; and

WHEREAS: Nigeria celebrates its 47th year of independence from the United Kingdom on October 1, 2007; and

WHEREAS: Nigerians are the largest African immigrant group helping the United States flourish through the cultural and intellectual contributions that they have bestowed upon the American people; and

WHEREAS: Acclaimed Nigerian authors such as Chinua Achebe and Wole Soyinka have contributed to the education of many Americans through teaching at prestigious United States Universities; and

WHEREAS: Nigerian-Americans embetter their communities through their professional dedication that serves as a guide for all members of the community to follow; and

WHEREAS: The City of Lansing appreciates the contributions that Nigerian-Americans make through their professional careers in medicine, law, academia, information technology, we are grateful for their talents and choosing to make Lansing a place to raise their families; and

WHEREAS: The City of Lansing recognizes, not only today, but every day, the important role of Nigerian-American's in our community; and

NOW, THEREFORE, I, VIRG BERNERO, Mayor of the City of Lansing, by the power vested in me, do hereby proclaim October 1, 2007 to be

“LANP DAY”

in Lansing. I urge the residents of Lansing to join with me in commending them for their outstanding accomplishments in our community.

Council President Leeman thanked the Nigerian professionals for their contributions to the Lansing area.

COUNCILMEMBERS' COMMENTS AND CITY CLERK'S ANNOUNCEMENTS:

Councilmember Dunbar congratulated everyone involved with Fall Into Fitness.

Councilmember Quinney announced that the American Diabetes Association will be having their 5-K walk this Saturday in Downtown Lansing; registration starts at 8 a.m. and the walk begins at 9 a.m.

Councilmember Dunbar announced that Octoberfest is this Saturday in Old Town.

Councilmember Wood announced that the Riverview Estates neighborhood meeting will be held at Lewton School this Tuesday at 6:30 p.m. She stated that the Eastside Neighborhood Organization will be hosting a candidate forum at Foster Community Center on Wednesday at 6:00 p.m. Genesee Neighborhood Association will hold their next meeting on Thursday at 7:00 p.m. at Grace Lutheran Church which is located on the corner of Martin Luther King, Jr. Blvd. and Lapeer St.

Councilmember Matt stated that the Potter Park Zoo Board meets at the Ingham County Health and Human Services Building on Tuesdays and the City of Lansing has representation on the board. He encouraged citizens to let him know about their comments, good or bad, so he can take those concerns to the board.

City Clerk Swope announced that the close of registration for voting in the November 6 General Election is Tuesday, October 9, 2007 and that his office will be open until 8:00 p.m. that day to accept registrations. He announced that the United States Supreme Court has decided to take up a case from another state regarding the photo I.D. requirement to vote in person but that decision would not be handed down before the general election in November. Citizens will have to show photo I.D. or fill out an affidavit stating that they don't have their I.D. with them or they don't have I.D. in order to vote in the November general election. He stated that the bulk of the absentee ballot requested to date will be mailed out on Thursday, October 4, 2007. Those wishing to vote by absentee ballot can stop by his office and fill out a ballot. The Oakland Center location at 809 Center St. will be open beginning Monday, October 8, 2007 for ballots as well as voter registrations. He announced that the City Clerk website has upcoming candidate forum information listed and asked those with forums not currently listed to send him the information for posting on the site. He announced several upcoming forums.

SPEAKER REGISTRATION FOR PUBLIC COMMENT

(Clerk Swope announced that the public comment registration form(s) for those intending to address Council on legislative or City government matters will be collected and that only those persons who have fully completed the form(s) will be permitted to speak.)

MAYOR'S COMMENTS

Mayor Bernero stated that on Thursday night last week the first-ever Mayor's Unity Dinner was held at Cooley Law School in downtown Lansing. The dinner was not only a celebration of the Muslim holiday of Ramadan, it was a call for unity among people from all walks of life. The dinner raised nearly \$3,000, all of which will be donated to the Greater Lansing Food Bank to support the hungry in our area. He spoke about the Fall into Fitness Festival/Capital City River Run which took place this past weekend. The festival began with Saturday's Healthy and Fit Expo at the Lansing Center, which drew more than 2,000 people to downtown Lansing. More than 100 vendors were on hand to show expo attendees how to stay healthy and active year round. On Sunday, the Impression 5 Science Museum hosted the first-ever Capital City River Run half marathon. The Mayor stated that this afternoon he joined Mayor Sam Singh of East Lansing, Board of Water and Light General Manager Peter Lark, Michigan Public Service Commissioner Monica Martinez and Aileen Gow of Urban Options to kick off the *Change A Light, Change Michigan* campaign. This is a great new partnership to encourage Lansing area residents to trade in their conventional incandescent light bulbs for Compact Fluorescent Bulbs – or CFLs. CFLs use 75% less energy than regular bulbs and last six to ten times longer. Each bulb saves \$30 or more in electricity over the life of the bulb and prevents more than 400 pounds in greenhouse gas emissions. He stated that on Friday night last week we celebrated the 10 thousandth rider on CATA's Entertainment Express trolley service. The Entertainment Express route that connects downtown Lansing and East Lansing was launched in October of last year. He spoke about the Hunter's Ridge Development on the agenda tonight. He recognized our October Employee of the Month, Bruce Holliday of the Lansing Police Department. Bruce has been employed as a Police Officer in Lansing for the last 23 years. He was promoted to Detective IIB in 2002. Bruce currently works at the South Precinct and is the President of the Fraternal Order of Police, Non-Supervisory Division. The Mayor took a moment to note several accolades that were recently bestowed upon our City Attorney, Brigham Smith, who was recently recognized by his peers as one of the top young lawyers in America with his nomination for the Daniel J. Curtin Young Public Lawyer Award. This is a highly competitive honor that is

given by the International Municipal Lawyers Association (IMLA). In addition, the Lansing Regional Chamber of Commerce, Greater Lansing Business Monthly and Grand River Connection recently named Brigham as one of the "Ten Over the Next Ten" award recipients. The "Ten Over the Next Ten" Award recognizes the Lansing area's top young professionals – those who are expected to have a significant impact as leaders in our community over the next decade. He also spoke about the state budget crisis.

SHOW CAUSE HEARINGS

• Comment on Scheduled Show Cause Hearings:

There were no Show Cause Hearings

PUBLIC COMMENT ON LEGISLATIVE MATTERS

• Public Comment on Legislative Matters:

Legislative Matters included the following public hearings:

1. In consideration of SLU-2-2007; 3215 W. Mt. Hope Ave., Special Land Use Permit to allow for a Telecommunications Tower
2. In consideration of Z-4-2007; Vacant Lot, Trudy Ln., Petition for rezoning from "A" Residential District to "C" Residential District filed by Robert Beagan for the purpose of constructing a duplex
3. In consideration of Z-6-2007; Vacant land on the west end of Hunter's Ridge Dr., Petition for rezoning from "CUP" Community Unit Plan to "A" Residential District filed by DuRay Development, LLC for the purpose of constructing 123 single family detached condominium units
4. In consideration of PRD-2-2007; Vacant land on the west end of Hunter's Ridge Dr., Petition for Planned Residential Development filed by DuRay Development, LLC for the purpose of constructing 123 single family detached condominium units

Councilmember Jeffries gave a brief overview of the Public Hearings.

City Attorney Smith gave detailed information regarding Z-6-2007; Vacant land on the west end of Hunter's Ridge Dr.

Linda Henderson of 2124 Pleasant View Ave. spoke in support of the resolution urging Congress to pass House Bill 808.

Alice Pfeiffer of 3924 Hunter's Ridge Dr. spoke in opposition to of Z-6-2007 and PRD-2-2007.

Sandra Finley of 3926 Hunter's Ridge Dr. spoke in opposition to of Z-6-2007 and PRD-2-2007.

Dolores Body of 3920 Hunter's Ridge Dr. spoke in opposition to of Z-6-2007 and PRD-2-2007.

Wallace Haley of 8065 Grand River Ave., Brighton, MI spoke in support of SLU-2-2007.

Henry Hill of 2903 N. Cambridge Rd. spoke in support of Z-6-2007 and PRD-2-2007.

Robb Munger of P.O. Box 408, Caledonia, MI spoke in support of Z-6-2007 and PRD-2-2007.

Candice Wilmore of 200 Friendship Cir. spoke in support of the resolution urging Congress to pass House Bill 808.

Michael Chubb of 2121 Lewton Pl. spoke in opposition to SLU-2-2007.

Susie Oliver of 3920 Hunter's Ridge Dr. expressed traffic concerns with Z-6-2007 and PRD-2-2007.

Marilyn Williams of 2614 Lafayette Ave. spoke in opposition to of Z-6-2007 and PRD-2-2007.

Robert Stern of 3916 Hunter's Ridge Dr. spoke in opposition to of Z-6-2007 and PRD-2-2007.

Robert Beagan of 1850 Dennison, East Lansing, MI spoke in support of Z-4-2007.

Jerome Vierling of 1000 Samantha St. spoke in support of Z-4-2007

Dustin Taylor of 4501 S. Pennsylvania Ave. spoke in support of Z-4-2007.

John Pollard of 1718 Blair St. spoke in support of Z-4-2007 and in opposition to Z-6-2007 and PRD-2-2007.

Jack Larson of 2701 S. Deerfield Ave. spoke in opposition to SLU-2-2007.

Ken Jones of 3026 Sunderland Rd. spoke in opposition to SLU-2-2007.

Ann Kostin McGill of 2513 Skye Rd. spoke in opposition to SLU-2-2007.

James L. Davis of 2400 Skye Rd. spoke in opposition to SLU-2-2007.

Wes Thorp of 3016 S. Deerfield Ave. spoke in opposition to SLU-2-2007.

Richard Clement of 900 Long Blvd. stated concerns with SLU-2-2007.

Darnell E. Oldham Sr. of 3815 Berwick Dr spoke in opposition to SLU-2-2007, Z-6-2007 and PRD-2-2007 and in support of Z-4-2007.

Dru Vinson of 606 S. Fairview Ave. spoke in opposition to SLU-2-2007, Z-6-2007 and PRD-2-2007 and in support of Z-4-2007.

Merritt J. Norvell, Jr. spoke in opposition to Z-6-2007 and PRD-2-2007.

Jim Aldrich of 4022 Thackin Dr. spoke in opposition to Z-6-2007 and PRD-2-2007.

City Attorney Smith and the City Council discussed the current zoning of the property under consideration for Z-6-2007.

Linda Appling of 4010 Thackin Dr. spoke in opposition to Z-6-2007 and PRD-2-2007.

Willy Williams of P O Box 11042 spoke in support of the resolution urging Congress to pass House Bill 808.

Beverly Rhodes of 4144 Thackin Dr. spoke in opposition to Z-6-2007 and PRD-2-2007.

Jessica King of 3630 Seaway Dr. spoke in opposition to Z-6-2007 and PRD-2-2007.

Jerred Thill of 3636 Seaway Dr. spoke in opposition to Z-6-2007 and PRD-2-2007.

Bob Gray of 422 Dadson Dr. spoke in opposition to Z-6-2007 and PRD-2-2007.

Judy Hill of 3936 Hunter's Ridge Dr. spoke in opposition to Z-6-2007 and PRD-2-2007.

REFERRAL OF PUBLIC HEARINGS

1. In consideration of SLU-2-2007; 3215 W. Mt. Hope Ave., Special Land Use Permit to allow for a Telecommunications Tower

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

2. In consideration of Z-4-2007; Vacant Lot, Trudy Ln., Petition for rezoning from "A" Residential District to "C" Residential District filed by Robert Beagan for the purpose of constructing a duplex

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

3. In consideration of Z-6-2007; Vacant land on the west end of Hunter's Ridge Dr., Petition for rezoning from "CUP" Community Unit Plan to "A" Residential District filed by DuRay Development, LLC for the purpose of constructing 123 single family detached condominium units

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

4. In consideration of PRD-2-2007; Vacant land on the west end of Hunter's Ridge Dr., Petition for Planned Residential Development filed by DuRay Development, LLC for the purpose of constructing 123 single family detached condominium units

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

President Leeman recessed the Council Meeting 9:20 p.m.

President Leeman called the Council back to order at 9:32 p.m.

PUBLIC COMMENT ON CITY GOVERNMENT RELATED MATTERS:

Bob Gray of 422 Dadson Dr. spoke about various city matters.

Manuela Kress of 1712 E. Michigan Ave. spoke about the Women's Center of Greater Lansing.

Shirley English of 407 S. Francis Ave. spoke about the Women's Center of Greater Lansing.

Russell Terry of 121 E. Mt. Hope Ave. spoke about a recycling fee refund.

William Hubbell of 3916 Wedgewood Dr. spoke about various city matters

John Pollard of 1718 Blair St. spoke about various city matters.

Ronnie Ford of 5016 Conners Ave. spoke about concerts and entertainment in the city.

Darnell E. Oldham Sr. of 3815 Berwick Dr spoke about various city matters.

Willie Hobbs of 5017 Conners Ave. spoke about various city matters.

Dru Vinson of 606 S. Fairview Ave. spoke about various city matters.

Charlene Decker of 2711 Pleasant Grove Rd. spoke about various city matters.

Frank S. Curtis X of 1137 W. Allegan St. spoke about various city matters.

Willy Williams of P O Box 11042 spoke about various city matters.

Debora Canja of 3520 Okemos Rd., Okemos, MI spoke about the Lansing Community College Board of Trustees election

Edward Wood, III of 6942 Abbey Ln., Grand Ledge, MI spoke about the Lansing Community College Board of Trustees election

LEGISLATIVE MATTERS

RESOLUTIONS

RESOLUTION#392

BY THE COMMITTEE OF THE WHOLE
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, on February 5, 2007, House Bill 808 was introduced in the United States House of Representatives to create a United States Department of Peace and Nonviolence, which to date has garnered the sponsorship of sixty-eight (68) members of the United States House of Representatives; and

WHEREAS, the proposed legislation to create a United States Department of Peace and Nonviolence will establish a cabinet-level department that will be headed by a Secretary of Peace and Nonviolence, who will advise the President on issues both domestic and international in scope, giving peace-building a place, voice and budget at the highest levels of government; and

WHEREAS, the proposed federal legislation to create a United States Department of Peace and Nonviolence will benefit the City of Lansing by holding peace as an organizing principle for American society, and by providing adequate funding for peace-building initiatives which aim to change the tone of society from a culture of disrespect and violence towards a culture of respect and nonviolence; and

WHEREAS, the proposed federal legislation to create a United States Department of Peace and Nonviolence will benefit the City of Lansing by supporting existing programs and developing new programs to address and reduce the number and frequency of incidents related to domestic violence, child and spousal abuse, school violence, gang violence, gun violence, and hate crimes which will assist members of our Police Department in experiencing fewer dangerous encounters especially while making routine runs; and

WHEREAS, the proposed federal legislation to create a United States Department of Peace and Nonviolence will benefit the City of Lansing by developing and distributing to the states and their schools a peace and nonviolence curriculum with supportive materials for community-building, communication, nonviolent conflict resolution, and mediation information, skills and resources; and

WHEREAS, the proposed federal legislation to create a United States Department of Peace and Nonviolence will benefit the City of Lansing by encouraging and supporting development of conflict resolution and violence prevention initiatives from within the community, including its religious and non-governmental organizations, thus creating greater community involvement and thereby a strong, stable, cohesive civil society throughout the City of Lansing; and

WHEREAS, such support will enhance and build upon the violence prevention initiatives and successes in Lansing; and

WHEREAS, many national and international organizations, including, but not limited to, Amnesty International, Center for Nonviolent Communications, Institute for Multi-Track Diplomacy, Physicians for Social Responsibility, September 11th Families for Peaceful Tomorrows, Fellowship of Reconciliation, Pax Christi USA, School Mediation Center, Veterans for Peace, and Youth for Environmental Sanity, have endorsed the legislation to establish a Department of Peace and Nonviolence; and

WHEREAS, many local government agencies, including, but not limited to: Chicago, Illinois; San Francisco, California; Atlanta, Georgia; Detroit, Michigan; Minneapolis, Minnesota; Newark, New Jersey; and Cambridge, Massachusetts; have passed similar resolutions in support of the enactment of the proposed legislation;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council adopts this resolution in favor of enactment of House Bill 808 to create a United States Department of Peace and Nonviolence;

BE IT FURTHER RESOLVED that the City Council of the City of Lansing urges U.S. Congressman Mike Rogers to sign on as a co-sponsor of the proposed federal legislation (HR 808) to create a United States Department of Peace and Nonviolence and to use the powers of his office to actively support its passage among his colleagues in Congress;

BE IT FURTHER RESOLVED that the City Council of the City of Lansing urges U.S. Senator Carl Levin and U.S. Senator Debbie Stabenow to introduce a companion Bill into the United States Senate to create a United States Department of Peace and Nonviolence and actively support its passage.

By Councilmember Jeffries

To accept a substitute resolution for the one originally placed in the packet

Motion Carried

By Councilmember Jeffries

To place an affirmative roll on the substitute resolution

Motion Carried

RESOLUTION#393

BY THE COMMITTEE OF THE WHOLE
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, situations arise when the Law Department is legally required and/or it is preferable to obtain outside legal counsel due to a conflict of interest or expertise in areas of public finance, municipal law, general litigation, real estate, energy, environmental, labor and employment law; and

WHEREAS, pursuant to the City Charter, City Council approval is required before outside legal counsel may be utilized by the City Attorney; and

WHEREAS, the City Attorney has solicited and reviewed responses from a number of qualified legal firms interested in doing business for the City of Lansing; and

WHEREAS, the City Attorney recommends and requests that the following law firms, as contained in this resolution, be pre-approved as outside counsel to the City of Lansing on an "as needed" basis;

Brookover & Carr, P.C.
Clark Hill PLC
Dickinson Wright PLLC

Dykema Gossett PLLC
 Foster Swift Collins & Smith, P.C.
 Foster Zack Little Pasteur & Manning, P.C.
 Fraser Trebilcock Davis & Dunlap, P.C.
 Grua, Jamo & Young, P.L.C.
 Haywood Harrison, P.C.
 Hubbard, Fox, Thomas, White & Bengston, P.C.
 Keller Thoma
 Kelly Cawthorne PLLC
 Loomis, Ewert, Parsley, Davis & Gotting, PC
 McGinty, Jakubiak, Hitch & Housefield
 Miller, Canfield, Paddock & Stone, PLC
 Murphy, Brenton & Spagnuolo, P.C.
 Plunkett & Cooney
 Secrest Wardle
 The Gallagher Law Firm
 Varnum Riddering Schmidt Howlett LLP.

NOW, THEREFORE, BE IT RESOLVED that pursuant to the City Attorney recommendation and request, the following law firms are pre-approved for outside legal work on behalf of the City of Lansing:

Brookover & Carr, P.C.
 Clark Hill PLC
 Dickinson Wright PLLC
 Dykema Gossett PLLC
 Foster Swift Collins & Smith, P.C.
 Foster Zack Little Pasteur & Manning, P.C.
 Fraser Trebilcock Davis & Dunlap, P.C.
 Grua, Jamo & Young, P.L.C.
 Haywood Harrison, P.C.
 Hubbard, Fox, Thomas, White & Bengston, P.C.
 Keller Thoma
 Kelly Cawthorne PLLC
 Loomis, Ewert, Parsley, Davis & Gotting, PC
 McGinty, Jakubiak, Hitch & Housefield
 Miller, Canfield, Paddock & Stone, PLC
 Murphy, Brenton & Spagnuolo, P.C.
 Plunkett & Cooney
 Secrest Wardle
 The Gallagher Law Firm
 Varnum Riddering Schmidt Howlett LLP.

By Councilmember Wood

To recuse Councilmember Wood due to a possible Conflict of Interest

Motion Carried

By Councilmember Jeffries

To place an affirmative role on the resolution

Motion Carried (Councilmember Wood Abstaining, Councilmember Jeffries voting Nay)

REPORTS FROM COUNCIL COMMITTEES

There were no Committee Reports

ORDINANCES FOR INTRODUCTION

There were no Ordinances for Introduction

ORDINANCES FOR PASSAGE

There were no Ordinances for Passage

REPORTS FROM CITY OFFICERS, BOARDS, AND

COMMISSIONS; COMMUNICATIONS AND PETITIONS; AND OTHER CITY RELATED MATTERS

By Councilmember Jeffries that all items be considered as being read in full and that President Leeman make the appropriate referrals

Motion Carried

• Reports from City Officers, Board and Commissions:

- a. Letter from the City Clerk submitting minutes of Boards and Authorities placed on file in the City Clerk's Office

RECEIVED AND PLACED ON FILE

- b. Letters from the Mayor re:

- i. Sale of Surplus Property; Mt. Hope Cemetery Perimeter Fencing Sections

REFERRED TO THE COMMITTEE ON WAYS AND MEANS AND INTERNAL AUDIT

- ii. Transfer of Funds; Federal Home Grant Program

REFERRED TO THE COMMITTEE ON WAYS AND MEANS AND INTERNAL AUDIT

- iii. Public Improvement I;

- 1. Curb and Gutter, Sidewalk and necessary Storm Drainage Facilities on Northrup St., from Washington Ave. to Cedar St.

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES

- 2. Curb and Gutter and necessary Storm Drainage Facilities on Moores River Dr., from Mt. Hope Ave. to the west entrance of Francis Park

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES

- iv. Proposed Home Occupation Ordinance

*SUSPENSION ITEM-REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

• Communications and Petitions, and Other City Related Matters:

- a. Letter from Ingham Intermediate School District submitting the 2007 Tax Levy and Millage Reduction Fraction Computation for Holt Public Schools

REFERRED TO THE CITY ASSESSOR AND REFERRED TO THE TREASURY DEPARTMENT

- b. Letter from Capital Area District Library submitting its 2007 Tax Levy and Millage Reduction Fraction Computation

REFERRED TO THE CITY ASSESSOR AND REFERRED TO THE TREASURY DEPARTMENT

- c. Request for recognition of nonprofit status filed by Leslie Donaldson, Executive Director of the Arts Council of Greater Lansing, Inc. located at 425 S. Grand Ave.

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

- d. Letter from Michael Chubb of 2121 Lewton Pl. regarding SLU-2-2007; 3215 W. Mt. Hope Ave., Special Land Use Permit to allow for a Telecommunications Tower

REFERRED TO THE PLANNING AND DEVELOPMENT DEPARTMENT AND REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

- e. Letter from Fred Williams of 350 E. Gier St. regarding video playback of City Council meetings

RECEIVED AND PLACED ON FILE

REMARKS BY COUNCILMEMBERS

Councilmember Wood addressed concerns regarding the sound wall on US-127,

Councilmember Matt spoke in opposition to SLU-2-2007, Z-6-2007 and PRD-2-2007. He also spoke about the City Council process for approving resolutions.

Councilmember Dunbar clarified the appropriation of funds regarding cell phone towers. She also clarified statements made at previous City Council meetings regarding assessments.

Councilmember Matt asked Jerry Ambrose, Executive Assistant to the Mayor to look into concerns with trees on Haag Rd. due to a recent storm.

Councilmember Wood followed-up with Jerry Ambrose, Executive Assistant to the Mayor regarding tree limbs in the 6200 block of Yunker St.

ADJOURNED TIME 10:45 P.M.

CHRIS SWOPE, CITY CLERK



**OFFICIAL PROCEEDINGS OF
THE CITY COUNCIL
CITY OF LANSING
PROCEEDINGS OF OCTOBER 8, 2007**

City Council Chambers
Lansing, Michigan

The City Council of the City of Lansing met in regular session and was called to order at 7:00 p.m. by President Leeman.

PRESENT: Councilmembers Allen, Dunbar, Jeffries, Kaltenbach, Leeman, Matt, Quinney, Wood

ABSENT: None

The Council observed a moment of Meditation followed by the Pledge of Allegiance led by President Leeman

CONSIDERATION OF LATE ITEMS

By Vice President Jeffries

To suspend City Council Rule #11 to allow for Consideration of Late Items

Motion carried

The following items were added to the agenda:

1. From Councilmember Jeffries; Letter from the Mayor re: Grant Acceptance; Michigan State Housing Development Authority
2. From Councilmember Leeman; Letter from Jim McGaugh, no address given, stating traffic concerns at the intersection of E. Grand River Ave. and High St.

TABLED ITEMS

1. Requiring the owners of property located at 3325 Felt St. to Make Safe or Demolish their property within sixty days of July 16, 2007

By Councilmember Allen

To remove this item from the table

Motion Carried

By Councilmember Allen

To recommit this item

Motion Carried

**COUNCILMEMBERS' COMMENTS
AND CITY CLERK'S ANNOUNCEMENTS:**

Councilmember Wood announced that the Moores Park Neighborhood Association is meeting at 7:00 p.m. on Wednesday, October 10, 2007 at the Moores Park School. On Thursday at 6:45 p.m., the Lansing/Eaton Neighborhood Association will be meeting at Woodcreek School. There will be a candidate forum on Thursday at 7:00 p.m. at Pilgrim Rest Baptist Church, 5200 Pleasant Grove Road. She thanked everyone who

has donated to the fund in honor of her mother.

Councilmember Allen welcomed everyone in the audience in support of the unions.

Councilmember Quinney thanked everyone who participated in the American Diabetes Walk that took place this past weekend at Oldsmobile Park. He said it was a huge success. He spoke about the press conference for the Teddy Bear Project. He stated that this event had a great turnout.

Councilmember Dunbar congratulated Old Town businesses and residents and everyone who helped put together the October Fest this past weekend. She said it was great and had a very overwhelming turnout.

Councilmember Jeffries announced that the Neighborhood Watch Advisory Board and the Lansing Police Department will be hosting a training seminar for Neighborhood Watch programs on October 25, 2007 from 5:30 p.m. to 8:00 p.m. at the Hill Vocational Center and more information can be obtained by calling 272-7481.

City Clerk Swope stated that the Absentee Ballots that have already been requested were mailed out last Thursday and Friday and those voters should have received them by today. He said that there is still plenty of time to request a ballot by calling the Clerk's office at 483-4133, by fax or by coming into the office. He stated that the Oakland Center at the corner of Oakland Ave. and Center St. is open to accept absentee voters. He stated that the deadline to register to vote in November's General Election is Tuesday, October 9 and the Clerk's Office at City Hall on the 9th Floor will be open until 8:00 p.m. that day.

SPEAKER REGISTRATION FOR PUBLIC COMMENT

(Clerk Swope announced that the public comment registration form(s) for those intending to address Council on legislative or City government matters will be collected and that only those persons who have fully completed the form(s) will be permitted to speak.)

MAYOR'S COMMENTS

Mayor Bernero spoke extensively about Accident Fund moving its headquarters to Ottawa Street Power Station. He spoke about the Dream for Darfur Rally and Road Race event which took place this past Saturday. He stated that more than 100 people turned out to help raise awareness of the tragedy in Darfur, Sudan, where thousands of people have been killed and more than 2.5 million displaced in four years of ethnic strife. He stated that this past weekend was the Lansing Fire Department's celebration of 150 years of service to the Lansing Community. He congratulated Chief Cochran and to everyone who helped to make this event such a great success. He spoke about items on the agenda tonight including the Industrial Facilities Tax Exemption for TechSmith Corporation, the Industrial Development District application from the S&S Die Company, the Poverty Exemption Ordinance for property taxes and a \$50,000 grant from the Michigan State Housing Development Authority to help underwrite the costs for the upcoming events related to the foreclosure crisis. He announced that coming up this week on Wednesday, October 10th, the National 9-11 Memorial Museum Traveling Exhibit will arrive in Lansing and that tomorrow we will kick off our City Employee's United Way campaign in the lobby of City Hall.

Councilmember Wood asked Jerry Ambrose, Executive Assistant to the Mayor, to look into when someone will be picking up the tree limbs that are in the road on Yunker St. Mr. Ambrose stated that it will be done this week.

SHOW CAUSE HEARINGS

- Comment on Scheduled Show Cause Hearings:

There were no Show Cause Hearings

PUBLIC COMMENT ON LEGISLATIVE MATTERS

- Public Comment on Legislative Matters:

Legislative Matters included the following public hearings:

1. In consideration of Public Improvement II/III; Curb and Gutter, Storm Sewer for all lands fronting on Picardy Street from Miller Road to Bliesener Street, excepting all public streets and alleys and other lands deemed not benefited

Councilmember Dunbar gave a brief overview of the public hearing.

John Pollard of 1718 Blair St. spoke about alleged Charter violations that pertain to the submission of the budget policies. He spoke about concerns that he has with the Special Assessment on the Public Improvement II/III public hearing.

Darnell E. Oldham Sr of 3815 Berwick Dr spoke in support of the proposed changes to the poverty exemption ordinance. He spoke about concerns with the Trudy Lane property.

Dru Vinson of 606 S. Fairview Ave. spoke about the budget policies and procedures. He also spoke about concerns with the Special Assessment on the Public Improvement II/III public hearing.

REFERRAL OF PUBLIC HEARINGS

1. In consideration of Public Improvement II/III; Curb and Gutter, Storm Sewer for all lands fronting on Picardy Street from Miller Road to Bliesener Street, excepting all public streets and alleys and other lands deemed not benefited

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES

PUBLIC COMMENT ON CITY GOVERNMENT RELATED MATTERS:

Raj Sharma of 428 S. Washington spoke about the process for transferring a license that he has with the city.

William Hubbell of 3916 Wedgewood spoke about concerns that he has with the Hunter's Ridge project.

Lucy Hunley of 1045 Ontario spoke about the November Election.

Frank S. Curtis X of 1137 West Allegan spoke about various city matters.

John Pollard of 1718 Blair spoke about various city matters.

Darnell E. Oldham Sr of 3815 Berwick Dr spoke about various city matters.

Bob Gray of 422 Dadson spoke about various city matters.

Don Dean of 1321 E. North St spoke about various city matters.

Charlene Decker of 2711 Pleasant Grove spoke about various city matters.

Willy Williams of P O Box 11042 spoke about various city matters.

By Councilmember Jeffries that the Council proceed to the order of:

REPORTS FROM CITY OFFICERS, BOARDS, AND COMMISSIONS; COMMUNICATIONS AND PETITIONS; AND OTHER CITY RELATED MATTERS

Motion Carried

By Councilmember Jeffries that all items be considered as being read in full and that President Leeman make the appropriate referrals

Motion Carried

- Reports from City Officers, Board and Commissions:

- a. Letter from the City Clerk submitting minutes of Boards and Authorities placed on file in the City Clerk's Office

RECEIVED AND PLACED ON FILE

- b. Financial Report for the Board of Water & Light - City of Lansing Enterprise Fund for Fiscal Year Ending June 30, 2007

REFERRED TO THE COMMITTEE ON WAYS AND MEANS AND INTERNAL AUDIT

- c. Letters from the Mayor regarding:
 - i. Application for Industrial Facilities Tax (IFT) Exemption Certificate filed by TechSmith Corporation for property located at University Corporate Research Park

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

- ii. Applications for Industrial Development District (IDD) and Industrial Facilities Tax (IFT) Exemption Certificate filed by S&S Die Company for property located at 2727 Lyons Ave.

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

- iii Grant Acceptance; Michigan State Housing Development Authority

*SUSPENSION ITEM – REFERRED TO THE COMMITTEE ON WAYS AND MEANS AND INTERNAL AUDIT

- Communications and Petitions, and Other City Related Matters:

- a. Letter from Crystal Wilson of 4014 Glenburne Blvd. regarding a Public Safety Surveillance System

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

- b. Letter from Angela Schueller of 3634 Jerree regarding a trash pick-up for Churchill Downs neighborhood

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES AND
REFERRED TO THE PUBLIC SERVICE DEPARTMENT

- c. Letter from Margaret Stern of 3916 Hunters Ridge Drive in opposition to Z-6-2007; Vacant land on the west end of Hunter's Ridge Dr.

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND
PLANNING

- d. Letter from Diane Earls of 300 E. Everettdale Ave. submitting a Petition containing fifty-six (56) signatures requesting traffic calming on Donald St. between Syringa Dr. and Cavanaugh Rd.

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY AND
REFERRED TO THE TRANSPORTATION DEPARTMENT

- e. Letter from Melissa Dey Hasbrook of 335 N. Magnolia Ave. regarding the process for using City Hall Plaza

REFERRED TO THE MAYOR AND REFERRED TO THE COMMITTEE
ON GENERAL SERVICES

- f. Eight (8) letters containing sixteen (16) signatures submitting a proposed Ordinance requiring preference for local contractors on city-assisted construction projects

REFERRED TO THE COMMITTEE OF THE WHOLE

- g. Letter from Jim McGaugh, no address given, stating traffic concerns at the intersection of E. Grand River Ave. and High St.

*SUSPENSION ITEM- REFERRED TO THE COMMITTEE ON PUBLIC
SAFETY

The Council returned to the order of:

LEGISLATIVE MATTERS

RESOLUTIONS

RESOLUTION#394

BY THE COMMITTEE ON INTERGOVERNMENTAL RELATIONS
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Committee on Intergovernmental Relations was referred the Tri-County Aging Consortium, known as the Tri-County Office on Aging, Annual Implementation Plan for Fiscal Year 2008; and

WHEREAS, the Committee reviewed and supported the Plan;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council endorses the Tri-County Aging Consortium Annual Implementation Plan for Fiscal Year 2008.

By Councilmember Matt

Motion Carried

RESOLUTION#395

BY THE COMMITTEE ON WAYS AND MEANS
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Parks & Recreation Department operates the Mt. Hope Cemetery and is responsible for the maintenance of the perimeter fence along Aurelius Road and Mt. Hope Avenue; and

WHEREAS, the exterior fence originally installed in 1880 has been recommended and approved for replacement; and

WHEREAS, the City of Lansing Purchasing Ordinance allows the sale of surplus property by public auction or sale; and

WHEREAS, the Parks & Recreation Department has identified 95 sections of fence, approximately 8 feet in length each, to be salvageable; and

WHEREAS, the Parks & Recreation Department has determined that the fair market value of a section of fence to be \$150;

NOW, THEREFORE, BE IT RESOLVED that the City Council authorizes the sale of 95 sections of salvage cemetery fence by public sale with a minimum sealed bid of at least \$150 with the highest per unit bid determining award, and those sections not purchased will go to salvage. **The proceeds of the sale will go to the cemetery fund.**

By Councilmember Wood

To amend the Resolved clause by inserting "The proceeds of the sale will go to the cemetery fund." at the end of the Resolved clause

Motion Carried

By Councilmember Wood

To place an affirmative roll on the amended resolution

Motion Carried

**THIS ITEM WAS RETURNED TO COMMITTEE
THE RESOLUTION WAS NOT RECEIVED FOR PLACEMENT IN
THE CITY COUNCIL PACKET**

Budget Policies and Priorities for Fiscal Year 2009

REPORTS FROM COUNCIL COMMITTEES

RESOLUTION#396 REPORT OF COMMITTEE

THE COMMITTEE ON DEVELOPMENT AND PLANNING was held on October 3, 2007 and reviewed the ordinance amendment of Section 1246.02 of the Code of Ordinances of the City of Lansing providing for the rezoning of the property located north of 2724 Trudy Lane, Z-4-07, from "A" Residential to "C" Residential District.

The Committee recommends approval of the ordinance amendment of Section 1246.02 of the Code of Ordinances of the City of Lansing providing for the rezoning of the property located north of 2724 Trudy Lane, Z-4-07, from "A" Residential to "C" Residential District.

October 8, 2007

Signed: Brian Jeffries, Chairperson

Sandy Allen, Vice Chairperson

Kathie Dunbar, Member

By Councilmember Jeffries

To receive this committee report

Motion Carried

RESOLUTION#397 REPORT OF COMMITTEE

THE COMMITTEE ON PUBLIC SAFETY held a meeting on October 3, 2007 and reviewed a resolution requesting that a public hearing is set in consideration of the property located at 709 W. Saginaw deemed a public nuisance under Chapter 630 of the Lansing Codified Ordinances.

The Committee refers this matter to the Committee of the Whole and recommends setting a public hearing in consideration of the property located at 709 W. Saginaw deemed a public nuisance under Chapter 630 of the Lansing Codified Ordinances.

October 8, 2007

Signed: Sandy Allen, Chairperson

Tim Kaltenbach, Vice Chairperson

Bill Matt, Member

By Councilmember Allen

To receive this committee report

Motion Carried

RESOLUTION#398 REPORT OF COMMITTEE

THE COMMITTEE ON WAYS AND MEANS held a meeting on October 1, 2007 and reviewed the ordinance amendment of Chapter 8, Section 890.01, 02, & 03 of the Codified Ordinances by bringing them into conformity with MCL 211.7u and to provide guidelines for poverty exemption eligibility for principal residences.

The Committee recommends adoption of the ordinance amendment of Chapter 8, Section 890.01, 02, & 03 of the Codified Ordinances by bringing them into conformity with MCL 211.7u and to provide guidelines for poverty exemption eligibility for principal residences.

October 8, 2007

Signed: Carol Wood, Chairperson

Tim Kaltenbach, Vice Chairperson

Harold Leeman, Member

By Councilmember Wood

To receive this committee report

Motion Carried

ORDINANCES FOR INTRODUCTION

There were no Ordinances for Introduction

ORDINANCES FOR PASSAGE

By Councilmember Jeffries

That we move to the passage of Ordinances

By Councilmember Jeffries

That the Ordinance when read be considered as read in its entirety.

BY THE COMMITTEE ON DEVELOPMENT AND PLANNING

By Councilmember Jeffries

Resolved by the City Council of the City of Lansing that an Ordinance of the City of Lansing, Michigan, Providing for the Rezoning of a parcel of real property located in the City of Lansing, Michigan and for the revision of the district maps adopted by section 1246.02 of the Code of Ordinances for property located at Z-4-2007; Vacant Lot, Trudy Ln., be placed on order of immediate passage.

BY THE COMMITTEE ON DEVELOPMENT AND PLANNING

By Councilmember Jeffries

Resolved by the City Council of the City of Lansing that an Ordinance of the City of Lansing, Michigan, Providing for the Rezoning of a parcel of real property located in the City of Lansing, Michigan and for the revision of the district maps adopted by section 1246.02 of the Code of Ordinances for property located at Z-4-2007; Vacant Lot, Trudy Ln., be now passed.

YEAS: Councilmembers Allen, Dunbar, Jeffries, Kaltenbach, Leeman, Matt, Quinney, Wood

NAY: None

ABSENT: None

By Councilmember Jeffries

THAT THIS ORDINANCE, BEING NECESSARY FOR THE IMMEDIATE PRESERVATION OF THE PUBLIC, PEACE, HEALTH OR SAFETY SHALL TAKE EFFECT UPON ITS PASSAGE

Motion Carried

ORDINANCE #2532

AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, PROVIDING FOR THE REZONING OF A PARCEL OF REAL PROPERTY LOCATED IN THE CITY OF LANSING, MICHIGAN AND FOR THE REVISION OF THE DISTRICT MAPS ADOPTED BY SECTION 1246.02 OF THE CODE OF ORDINANCES.

The City of Lansing ordains:

Section 1. That the district maps adopted by and incorporated as Section 1246.02 of the Code of Ordinances of the City of Lansing, Michigan be amended to provide as follows:

To change the zoning classification of the property described as follows:

Case Number: Z-4-2007
Address: North of 2724 Trudy Lane
Parcel Number: PPN: 33-01-01-26-401-081
Legal Descriptions: Commencing 360 feet West & 200 feet South of Northeast Corner of West 1/2 of Southeast 1/4, Thence South 100 feet, West 297.37 feet, North 100 feet, East 297.37 feet to beginning; Section 26 T4N R2W, City of Lansing, Ingham County, Michigan, from "A" Residential to "C" Residential District

Section 2. All ordinances or parts of ordinances inconsistent with the provisions hereof are hereby repealed.

Section 3. This ordinance shall take effect thirty (30) days from its passage unless given immediate effect by the City Council.

By Councilmember Wood

That the Ordinance when read by its title be considered as read in its entirety.

BY THE COMMITTEE ON WAYS AND MEANS

By Councilmember Wood

That:

An Ordinance of the City of Lansing to amend Chapter 8, Sections 890.01, 890.02 and 890.03 of the Lansing Codified Ordinances by bringing them into conformity with MCL 211.7u and to provide guidelines for poverty exemption eligibility for principle residences be placed on order of immediate passage.

BY THE COMMITTEE ON WAYS AND MEANS

By Councilmember Wood

That:

An Ordinance of the City of Lansing to amend Chapter 8, Sections 890.01, 890.02 and 890.03 of the Lansing Codified Ordinances by bringing them into conformity with MCL 211.7u and to provide guidelines for poverty exemption eligibility for principle residences be now passed.

YEAS: Councilmembers Allen, Dunbar, Jeffries, Kaltenbach, Leeman, Matt, Quinney, Wood

NAY: None

ABSENT: None

By Councilmember Wood

THAT THIS ORDINANCE, BEING NECESSARY FOR THE IMMEDIATE PRESERVATION OF THE PUBLIC, PEACE, HEALTH OR SAFETY SHALL TAKE EFFECT UPON ITS PASSAGE

Motion Carried

ORDINANCE #1124

AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, TO AMEND CHAPTER 8, SECTIONS 890.01, 890.02 AND 890.03, OF THE LANSING CODIFIED ORDINANCES BY BRINGING THEM INTO CONFORMITY WITH MCL 211.7u AND TO PROVIDE GUIDELINES FOR POVERTY EXEMPTION ELIGIBILITY FOR PRINCIPAL RESIDENCES.

THE CITY OF LANSING ORDAINS:

Section 1. That Chapter 8, Sections 890.01, 890.02, and 890.03, of the Codified Ordinances of the City of Lansing, Michigan, be and is hereby amended to read as follows:

890.01. Adoption

Pursuant to MCL 211.7u ~~Act 390 of the Public Acts of 1994~~, as amended, the City hereby adopts the following guidelines for the City Assessor and Board of Review to implement poverty exemptions ~~from~~ FOR PROPERTY THAT QUALIFIES UNDER MCL 211.7dd AS A PRINCIPAL RESIDENCE ~~homestead~~ FROM taxation ~~under Act 390~~. The guidelines shall include, but not be limited to, the specific income and asset levels of the claimant and all persons residing in the household of the claimant INCLUDING THE CONTRIBUTIONS OF OTHER PARTIES TO SUPPORT THE CLAIMANT, AND including any property tax credit returns filed in the current or immediately preceding year.

To be eligible for a poverty exemption from such taxation, a person shall meet all of the following on an annual basis:

(a) Be an owner of and occupy as a PRINCIPAL RESIDENCE ~~homestead~~ the property for which an exemption is requested;

(b) File a claim with the City Assessor or Board of Review ON A FORM PROVIDED BY THE CITY ASSESSOR, accompanied by Federal and State income tax returns for all persons residing in the PRINCIPAL RESIDENCE ~~homestead~~ INCLUDING THE CONTRIBUTIONS OF OTHER PARTIES TO SUPPORT THE CLAIMANT, AND including any property tax credit returns filed in the immediately preceding year or in the current year;

(c) Produce a valid drivers license or other form of identification if requested;

(d) Produce a deed, land contract or other evidence of ownership of the property for which an exemption is requested;

(e) Meet the Federal poverty income standards as defined and ~~determined annually by the United States Office of Management and Budget~~; GUIDELINES AS UPDATED ANNUALLY IN THE FEDERAL REGISTER BY THE UNITED STATES DEPARTMENT OF HEALTH AND HUMAN SERVICES UNDER AUTHORITY OF SECTION 673 OF SUBTITLE B OF TITLE VI OF THE OMNIBUS BUDGET RECONCILIATION ACT OF 1981, PUBLIC LAW 97-35, 42 U.S.C. 9902;

(f) Own and occupy a PRINCIPAL RESIDENCE ~~homestead~~ having a true cash value which is less than the average true cash value of all PRINCIPAL RESIDENCE ~~homestead~~ properties in the City, based on the previous year values; And

(g) File ~~an application~~ A CLAIM for exemption after January 1, but before the day prior to the last day of the Board of Review meeting; And

(h) HAVE ASSETS, NOT INCLUDING HOMESTEAD, LESS THAN FIVE (5) TIMES ANNUAL HOUSEHOLD INCOME.

(i) ANY RELIEF GRANTED IS A REDUCTION OVER AND ABOVE THE MAXIMUM HOMESTEAD PROPERTY TAX CREDIT GRANTED, OR WHICH WOULD HAVE BEEN GRANTED HAD THE CLAIMANT APPLIED, BY THE STATE OF MICHIGAN.

890.02. Compliance required; deviations.

The Board of Review shall follow the guidelines set forth in Section 890.01 in granting or denying an exemption, unless the Board of Review determines that there are substantial and compelling reasons why there should be a deviation from the guidelines and these reasons are communicated in writing to the claimant.

890.03. Reduction of Assessed and TAXABLE value.

~~If a poverty exemption is granted~~ THE HOUSEHOLD INCOME IS AT OR BELOW THE FEDERAL POVERTY GUIDELINE, the assessed AND TAXABLE value shall be reduced to a point where it would generate a tax, based on the previous years tax rate, of no more than 3.5 percent of the taxpayers previous years income. THE REDUCTION OF TAX WILL BE BASED ON THE FOLLOWING TABLE:

INCOME	% OF INCOME
\$3,000 OR LESS	0%
\$3,001 - \$4,000	1%
\$4,001 - \$5,000	2%
\$5,001 - \$6,000	3%
MORE THAN \$6,000	3.5%

890.04 DEFINITION OF PRINCIPAL RESIDENCE.

AS USED HEREIN, PRINCIPAL RESIDENCE SHALL BE AS DEFINED IN MCL 211.7dd.

Section 2. All ordinances, resolutions or rules, parts of ordinances, resolutions or rules inconsistent with the provisions hereof are hereby repealed.

Section 3. Should any section, clause or phrase of this ordinance be declared to be invalid, the same shall not affect the validity of the ordinance as a whole, or any part thereof other than the part so declared to be invalid.

Section 4. This ordinance shall take effect on December 31, 2007.

REMARKS BY COUNCILMEMBERS

City Clerk Swope addressed comments made by a speaker regarding the ID requirement for voting at elections.

President Leeman spoke about the Accident Fund announcement and the positive effect it will have on Lansing.

**REMARKS BY THE MAYOR
OR EXECUTIVE ASSISTANT**

Jerry Ambrose, Executive Assistant to the Mayor, thanked City Council for passing the poverty exemption ordinance. He stated that this is a very important issue. He addressed the issue of why property value is decreasing while property taxes are increasing.

ADJOURNED TIME 8:39 P.M.

CHRIS SWOPE, CITY CLERK



**OFFICIAL PROCEEDINGS OF
THE CITY COUNCIL
CITY OF LANSING
PROCEEDINGS OF OCTOBER 15, 2007**

City Council Chambers
Lansing, Michigan

The City Council of the City of Lansing met in regular session and was called to order at 7:00 p.m. by President Leeman.

PRESENT: Councilmembers Allen, Dunbar, Jeffries, Kaltenbach, Leeman, Matt, Quinney, Wood

ABSENT: None

The Council observed a moment of Meditation followed by the Pledge of Allegiance led by President Leeman

APPROVAL OF MINUTES

By Councilmember Jeffries

To approve the printed Council Proceedings of October 1 and 8, 2007

Motion carried

CONSIDERATION OF LATE ITEMS

By Vice President Jeffries

To suspend City Council Rule #11 to allow for Consideration of Late Items

Motion carried

The following items were added to the agenda:

1. From Councilmember Quinney; Letter from Democratic Caucus of the Ingham County Board of Commissioners in support of the proposed local contractor preference ordinance
2. From Councilmember Leeman; Presentation; Friends of Lansing Cemeteries
3. From Councilmember Jeffries; Letter from Robb Munger of DuRay Development in support of and submitting a full-color site plan for proposed Copper River, PRD-2-2007; Vacant land on the west end of Hunter's Ridge Dr.

THIS ITEM WAS RETURNED TO COMMITTEE

BY THE COMMITTEE ON DEVELOPMENT AND PLANNING
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

PRD-2-2007
Planned Residential Development - Copper Bend

WHEREAS, DuRay Development LLC is requesting approval of a Planned Residential Development for a 28.47 acre parcel of property located at the west end of Hunter's Ridge Drive, in the "A" Residential District, to develop 123 single family condominium units; and

WHEREAS, the Planning Board held a public hearing for the Planned Residential Development permit on August 21, 2007, where the applicant and the property owner spoke in favor and 21 area residents

stated opposition to the proposal, expressing concerns regarding the displacement of wildlife and the proposed developments impact on traffic and property values; and

WHEREAS, the Planning Board reviewed the petition at its meeting of August 21, 2007 and found that the Planned Residential Development, with conditions, meets the criteria set forth in §1280.02(e) and §1282.02(f) of the *Zoning Code*; based on testimony, evidence, and the staff report; and

WHEREAS, the Planning Board, after review of the petition at its meeting of August 21, 2007, voted unanimously (5-0) to recommend approval of PRD-2-07; and

WHEREAS, the City Council held a public hearing on October 1, 2007, at which the applicant spoke in favor and 2 individuals spoke in support of the petition and 17 individuals spoke in opposition to the petition; and

WHEREAS, the Committee on Development and Planning held a public hearing on October 11, 2007 at which the property owner and the developer spoke in favor of the development and approximately 20 individuals spoke against the development; and

WHEREAS, the City Council Committee on Development & Planning has reviewed the report of the Planning Board and does not concur therewith.

NOW, THEREFORE, BE IT RESOLVED that the City Council hereby denies the Planned Residential Development request (PRD-2-07), to permit the development of 123 new single family condominiums at the west end of Hunter's Ridge Drive.

BE IT FINALLY RESOLVED that in denying this request, the City Council determines the following:

- The proposed planned residential development will interfere with the general enjoyment of adjacent properties.
- The proposed planned residential development does not represent an improvement to the use or character of the property under consideration and the surrounding area in general and is not in keeping with the natural environment of the lot.
- The applicant has not demonstrated that the site can be adequately served by essential public facilities and services.
- The proposed planned residential development will place demands on public services and facilities in excess of current capacities.

By Councilmember Jeffries
To recommit the resolution
Motion Carried

City Attorney Smith spoke on the legal issues regarding the proposed prevailing wage ordinance.

THIS ITEM WAS RETURNED TO COMMITTEE

**INTRODUCTION OF ORDINANCE
PREVAILING WAGE AND FRINGE BENEFITS RATES**

By Councilmember Leeman, President of the Committee of the Whole That:

An Ordinance of the City of Lansing to require the payment of Prevailing Wage and Fringe Benefits Rates to Construction Mechanics on Certain Construction Projects Receiving Financial Assistance from the City to provide Preferences for Lansing Based Businesses and to provide for enforcement and penalties

was introduced by Councilmember Leeman, read a first and second time by its title and referred to the Committee of the Whole

RESOLUTION SETTING PUBLIC HEARING

By Councilmember Leeman

RESOLVED BY THE CITY COUNCIL, CITY OF LANSING, that a public hearing be set for Monday, October 29, 2007 at 7:00 P.M. in the City Council Chambers, 10th Floor Lansing City Hall, 124 W. Michigan Ave., Lansing, MI for the purpose of considering an Ordinance of the City of Lansing to require the payment of Prevailing Wage and Fringe Benefits Rates to Construction Mechanics on Certain Construction Projects Receiving Financial Assistance from the City to provide Preferences for Lansing Based Businesses and to provide for enforcement and penalties

By Councilmember Leeman
To recommit the Ordinance
Motion Carried

President Leeman stated that anyone here who has signed up to speak on the prevailing wage ordinance or PRD-2-2007 may do so under Public Comment on City Government Related Matters.

SPECIAL CEREMONIES

• Special Ceremonies

1. Tribute; Back-N-The-Day Picnic

City Clerk Swope read the following Resolution:

RESOLUTION#399

BY COUNCILMEMBER DERRICK QUINNEY

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Back-N-The-Day Picnic is a celebration of community, culture, and relationships; and

WHEREAS, Marcia Civils, Sherill Pittman, Chere McFadden, Terri Singleton, Brenda Patrick, Janis Barnett-Thomas, Jackie Benson, Rainey Hall, Cathy Morgan, Carmella Dabney-Howard, Cheryl Ford, Mitzi Sharp and Derrick Quinney established the Back-N-The-Day Picnic Committee to both reminisce about the good old days and to re-create the strong community that they enjoyed as children growing up in Lansing; and

WHEREAS, from buying the latest tunes at Johnny's Record Shop, to hanging out at the Westside Drop-In Center, or dancing in the West Junior High School gym to eating Crommer's Soul-On-A-Roll, these memories reminded them of a freer, more innocent time; and

WHEREAS, in an age of emails and technology that fuel our lives at the speed of light, the individuals who comprise the Back-N-The-Day Picnic Committee recognized the need for old fashioned interaction, community involvement, and neighborly camaraderie; and

WHEREAS, on Saturday, September 22, 2007, the Back-N-The-Day Picnic was held at Francis Park pavilion from noon until dusk with a variety of activities such as games, prizes, free food, live music, a talent show, and honoring four of Lansing's Unsung Heroes; and

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council,

hereby, wishes to congratulate the Back-N-The-Day Picnic Committee on the tremendous success of their first Back-N-The-Day Picnic. We wish you continued success!

By Councilmember Quinney

Motion Carried

Councilmember Quinney felt honored to present this tribute to the planning committee for a job well done on the picnic. He stated that the event had an overwhelming turnout and thanked everyone who worked on putting this event together.

Marcia Civils thanked the committee for all their hard work on the planning of the picnic and for helping to make it such a success.

Councilmember Kaltenbach stated that he was not able to attend the picnic but he is looking forward to next year's event. He congratulated the committee on a job well done.

Mayor Bernero congratulated the committee on a very fine job. He stated that he too cannot wait until next year's picnic.

2. Proclamation and Tribute; Welcoming the Otsu City Council

Mayor Bernero said this is a very special night for the Lansing City Council. He noted that there are extra Councilmembers from our Sister City with us tonight. He said this is a very special relationship. He said it was a wonderful time showing them Lansing. He introduced the delegation from Japan: Mr. Yoshio Yokota, Vice Chairman of Otsu City Council; Mr. Hidekiyo Isoda, Member of City Council; Mr. Hajimu Kitabayashi, Member of City Council; Mr. Hiroshi Sonoda, Member of City Council; Mr. Motoji Takeuchi, Member of City Council; Mr. Heigo Takeda, Member of City Council; Mr. Heigo Takeda, Member of City Council; Mr. Tsutomu Funamoto, Member of City Council; Mr. Isao Tanaka, Treasurer of City Office; and Mr. Hideo Inour, Deputy Associate Director of Otsu City Council Secretary.

Mr. Yoshio Yokota thanked the Mayor and the City of Lansing for the warm welcome. He said the relationship between Lansing and Otsu has been a huge success and is looking forward to many more years of working together. He said even though his council is only here for a short time they have learned a lot. He thanked the Mayor and City Council for their hospitality.

Barbara Roberts Mason thanked the Mayor and City Council for the support that they have given to these programs. She said these programs are very important to both Lansing and Japan.

President Leeman presented the delegation with a tribute plaque. He thanked them for being here.

Mayor Bernero presented the delegation with a proclamation and a gift as a token of the friendship and said that we need to continue the strong relationship.

RESOLUTION#400

BY COUNCILMEMBER HAROLD LEEMAN

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, since 1968 the City of Otsu, Shiga Prefecture, Japan and the City of Lansing, Michigan has enjoyed strong ties of friendship; and

WHEREAS, over the years Middle School students, High School students, and college and university students have maintained programs of exchange in education, arts, and culture to the great benefit of all parties; and

WHEREAS, ties of friendship and exchange; such as the programs of scholarship, learning, and language through Lansing Community College and Michigan State University; have been successfully implemented and maintained for more than 15 years; and

WHEREAS, the support of officials in both Otsu, Japan and Lansing, Michigan are vital to the continuity and stability of these beneficial relations; and

WHEREAS, international linkages form one key element of acquiring and building the knowledge and understanding of global cultures required for overall prosperity and development; and

WHEREAS, the mutual exchange of hospitality and diverse varieties of exchange programs benefit the participants and open doors to lifelong friendships, increasing understanding and unique opportunities for both Otsu and Lansing;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, affirm our appreciation for the bridges of friendship sustained over many years with the Sister City Commission. We hold in highest esteem our colleagues from Otsu City Council for their facilitation and staunch support of this valuable friendship;

BE IT FURTHER RESOLVED that the City of Lansing City Council formally extends a welcome, with pleasure and great sense of honor, and recognize the delegation from Otsu City Council.

By Councilmember Leeman

Motion Carried

3. Presentation; Friends of Lansing Cemeteries

Tim Bogar thanked City Council and the Parks Department for their support and assistance on cleaning up the cemetery. He spoke about the upcoming events that will help raise funds to continue the upgrades to the cemetery.

Jesse Lasorta thanked the City Council for their support and stated that when this project is completed it is going to be beautiful. He gave a brief overview of work that has already been done and said that if anyone is interested in helping to please call Loretta at 393-0637 or send an email message to timbogar@sbcglobal.net.

COUNCILMEMBERS' COMMENTS AND CITY CLERK'S ANNOUNCEMENTS:

Councilmember Matt announced that the Colonial Village Neighborhood Association will be having a candidate forum on Wednesday, October 17 at Grace United Methodist Church. He spoke about the need to utilize the parks programs.

Vice President Jeffries announced that the Development and Planning Committee will be meeting on Thursday at 7:00 p.m. at Dwight Rich Middle School. He said this will be held in conjunction with the Lewton/Rich Neighborhood Association Meeting.

Councilmember Wood announced that on Tuesday the Churchill Downs Neighborhood Association will be meeting at Wainwright School at 6:30 p.m. On Saturday, October 20th from 9:00 a.m. to 2:00 p.m., the Churchill Downs Neighborhood Association will have a craft and bake sale at Wainwright School. Thursday and Friday is the Turner Dodge Mystery Dinner at the Turner Dodge Mansion. Friday is the NAACP Freedom Fund Dinner and tickets are available at the NAACP Office.

Councilmember Dunbar announced that on Saturday, October 27 from 10:00 a.m. to 2:00 p.m. at the Gannon Building at Lansing Community College there is a Cover our Kids Initiative, and more information can be obtained by calling 483-1285. She thanked everyone for their support

over the last week for the family crisis that occurred in her family. She thanked the ladies of Grace United Methodist Church for the beautifully knitted prayer shawl they gave her and stated that if anyone knows of someone who may need a shawl can call 482-5750.

Councilmember Allen announced that the Old Everett Neighborhood Association is meeting on Tuesday at 7:00 p.m. at Ingham Medical Education Building. Forest View Neighborhood Association will be meeting on Wednesday at 7:00 p.m. at the University Club.

City Clerk Swope announced that the South Lansing Business Association will be hosting a candidate forum on Wednesday, October 24 at 11:30 a.m. at Coscarelli's Restaurant on S. Cedar St. He stated that the Oakland Center is open from 8:00 a.m. to 5:00 p.m. Monday through Friday to receive absentee voters or you can call 483-4133 to request a ballot. He spoke about the ID requirement for the November Election. He stated that the deadline to register to vote for the November Election has passed, however you can still register but your registration will not be processed until after the November election.

SPEAKER REGISTRATION FOR PUBLIC COMMENT

(Clerk Swope announced that the public comment registration form(s) for those intending to address Council on legislative or City government matters will be collected and that only those persons who have fully completed the form(s) will be permitted to speak.)

MAYOR'S COMMENTS

Mayor Bernero again welcomed our distinguished guests from Otsu, Japan. He stated that Thursday of last week he welcomed a group of students from Otsu, who have been staying with host families around Lansing over the weekend. He spoke about the Ottawa St. Power Station Project and stated that tomorrow two more major projects to revitalize downtown will be announced. He spoke about the ceremony to re-open of Michigan and Washington Avenues, with a parade through downtown Lansing. He spoke about the Lead Safe Lansing campaign and National Lead Poisoning Prevention Week, October 21 through October 27. He announced that on Wednesday and Thursday Lansing will host a series of events that aim to raise awareness of the foreclosure crisis in Michigan and across the nation. The Reverend Jesse Jackson will return to Lansing to lead a Town Hall meeting at 6p.m. on Wednesday night at Pattengill Middle School. On Thursday, October 18th, there will be a rally at the State Capitol at 12 noon to let the Michigan Legislature know that action is needed to reign in predatory lending and defuse the ticking time bomb of the sub-prime mortgage market.

SHOW CAUSE HEARINGS

- Comment on Scheduled Show Cause Hearings:

There were no Show Cause Hearings

PUBLIC COMMENT ON LEGISLATIVE MATTERS

- Public Comment on Legislative Matters:

Legislative Matters included the following public hearings:

There were no Public Hearings

John Pollard of 1718 Blair St. spoke about the budget policies not being available for public viewing. He spoke about alleged charter violations.

Christine Timmon of 2519 Washington Ave. spoke about concerns

with the budget policies.

**PUBLIC COMMENT
ON CITY GOVERNMENT RELATED MATTERS:**

Eric Schertzing, Ingham County Treasurer, spoke about fire prevention week.

Willie Hobbs of 5017 Conners Ave. spoke about various city matters.

Virginia Humble of 604 E. Fredrick Ave. spoke about various city matters.

John Pollard of 1718 Blair St. spoke about various city matters.

Frank S. Curtis X of 1137 West Allegan St. spoke about various city matters.

Bob Gray of 422 Dadson Dr. spoke about various city matters.

Raj Shamer of 428 S. Washington Ave. spoke about various city matters.

Ronnie Ford of 5016 Conners Ave. spoke about various city matters.

William Hubbell of 3916 Wedgewood Dr. spoke about concerns with recent news of developments in the downtown.

Jessica Narodowiec of 130 E. Reasoner St. spoke about alleged problems that she is having with a neighbor and the Lansing Police Department.

Anne Hodges of 203 E. Reasoner St. spoke about issues with a neighbor.

Geraldine Parks of 701 Isbell St. spoke about various city matters.

Darnell E. Oldham Sr. of 3815 Berwick Dr spoke about various city matters.

Christine Timmon of 2519 Washington Ave. spoke about various city matters.

Charlene Decker of 2711 Pleasant Grove Rd. spoke about various city matters.

Karen Carter of 1121 N. Capitol spoke in support of the prevailing wage ordinance.

Chris Fisher of 120 N. Washington Sq. spoke in opposition to the prevailing wage ordinance.

Rowland Cornish of 221 E. Northrup St. spoke about the prevailing wage ordinance.

Sandi Finley of 3936 Hunter Ridge Dr. spoke about concerns with the proposed project for Hunter Ridge.

Merritt Norvell of 4236 Pine Tree Ln. spoke about concerns with the Hunter Ridge project.

Don Dean of 1321 E. North St. spoke about problems with the city's website.

Willy Williams of P.O. Box 11042 spoke about various city matters.

A'Lynne Robinson of 2515 Victor Ave. spoke about the Hunter Ridge project.

LEGISLATIVE MATTERS

RESOLUTIONS

RESOLUTION#401

BY THE COUNCILMEMBER SANDY ALLEN
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Lansing Code Compliance Officer has declared a certain structure (dwelling) at **1120 N. Walnut Parcel # 3301.01.09.329.012 and Legal Description: Lot 6 & N 7 Ft Lot 7 Block 1 Sophie S Turners Sub Rec L 4 P 39** to be an unsafe and dangerous building and requested the property owner be ordered to demolish or otherwise make safe the structure; and

WHEREAS, The Code Compliance Officer red tagged the said structure on **June 26, 2007**, and requested the property owner be ordered to demolish or otherwise make safe the structure; and

WHEREAS, on **August 23, 2007**, the Lansing Demolition Board held a special meeting to consider and make a recommendation on whether to declare the structure a dangerous building, as defined in the Housing Law of Michigan (MCLA 125.539) and the Lansing Housing and Premises Code (1460.09) to order the property owner to make safe or demolish the structure; and

WHEREAS, the Code Compliance Office has determined that compliance with the order of the Lansing Demolition Hearing Board officer has not occurred; and

WHEREAS, the Housing Law of Michigan and the Housing and Premises Code require that a hearing be conducted to give the property owner an opportunity to show cause why a dangerous structure should not be demolished or otherwise made safe; and

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council hereby reschedules a show cause hearing for **Monday, November 12, 2007, at 7:00 p.m.** in the Lansing City Council Chambers, 10th Floor City Hall, 124 W. Michigan, Lansing, Michigan in consideration of the finding and order of the Lansing Demolition Hearing Board Officer regarding the structure at **1120 N. Walnut**; to give the owner, or the owner's agent, the opportunity to appear and show cause why the building should not be demolished or otherwise made safe; and to approve, disapprove, or modify the order of the hearing officer to demolish or make safe the subject structure.

BE IT FINALLY RESOLVED that the Lansing City Council requests that the Manager of Code Compliance notify the owner of said property of the opportunity to appear and present testimony at the hearing, as required by law.

By Councilmember Allen

Motion Carried

RESOLUTION#402

BY THE COUNCILMEMBER SANDY ALLEN
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Lansing Code Compliance Officer has declared a certain structure (dwelling) at **835 May Parcel # 3301.01.10.351.061 and Legal Description: Lot 4 Assessors Plat No 23 & E ½ Lot 12 Block 1 Prines Sub Rec L 51 P 440** to be an unsafe and dangerous building and requested the property owner be ordered to demolish or otherwise make safe the structure; and

WHEREAS, The Code Compliance Officer red tagged the said structure on **March 14, 2006**, and requested the property owner be ordered to demolish or otherwise make safe the structure; and

WHEREAS, on **August 23, 2007**, the Lansing Demolition Board held a special meeting to consider and make a recommendation on whether to declare the structure a dangerous building, as defined in the Housing Law of Michigan (MCLA 125.539) and the Lansing Housing and Premises Code (1460.09) to order the property owner to make safe or demolish the structure; and

WHEREAS, the Code Compliance Office has determined that compliance with the order of the Lansing Demolition Hearing Board officer has not occurred; and

WHEREAS, the Housing Law of Michigan and the Housing and Premises Code require that a hearing be conducted to give the property owner an opportunity to show cause why a dangerous structure should not be demolished or otherwise made safe; and

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council hereby reschedules a show cause hearing for **Monday, November 12, 2007, at 7:00 p.m.** in the Lansing City Council Chambers, 10th Floor City Hall, 124 W. Michigan, Lansing, Michigan in consideration of the finding and order of the Lansing Demolition Hearing Board Officer regarding the structure at **835 May**; to give the owner, or the owner's agent, the opportunity to appear and show cause why the building should not be demolished or otherwise made safe; and to approve, disapprove, or modify the order of the hearing officer to demolish or make safe the subject structure.

BE IT FINALLY RESOLVED that the Lansing City Council requests that the Manager of Code Compliance notify the owner of said property of the opportunity to appear and present testimony at the hearing, as required by law.

By Councilmember Allen

Motion Carried

RESOLUTION#403

BY THE COMMITTEE ON GENERAL SERVICES
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, The Capital Foundation for Arts and Culture has requested a resolution recognizing them as a local nonprofit organization operating in the City of Lansing for the purpose of obtaining a Charitable Gaming License pursuant to MCL 432.103 (9); and

WHEREAS, the City Attorney has reported that, based on a review of the documentation submitted, the applicant qualifies as a Local 501 (c) (3) Nonprofit Organization;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, recognizes The Capital Foundation for Arts and Culture as a local nonprofit organization operating in the City of Lansing for the purpose of obtaining a Charitable Gaming license to conduct a raffle.

BE IT FURTHER RESOLVED that the City Clerk is requested to provide a copy of this resolution to Cody Goul, CFAC President, 2025 Sunnyside Avenue, Lansing, Michigan 48910.

By Councilmember Kaltenbach

Motion Carried

RESOLUTION#404

BY THE COMMITTEE ON GENERAL SERVICES
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Michigan Foundation for Education Leadership has requested a resolution recognizing them as a local nonprofit organization operating in the City of Lansing for the purpose of obtaining a Charitable Gaming License pursuant to MCL 432.103 (9); and

WHEREAS, the City Attorney has reported that, based on a review of the documentation submitted, the applicant qualifies as a Local 501 (c) (3) Nonprofit Organization;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, recognizes the Michigan Foundation for Education Leadership as a local nonprofit organization operating in the City of Lansing for the purpose of obtaining a Charitable Gaming license to conduct a raffle.

BE IT FURTHER RESOLVED that the City Clerk is requested to provide a copy of this resolution to Zoe M. Wilcox, President, 1001 Centennial Way, Ste. 400, Lansing, Michigan 48917.

By Councilmember Kaltenbach

Motion Carried

RESOLUTION#405

BY THE COMMITTEE ON GENERAL SERVICES
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Arts Council of Greater Lansing has requested a resolution recognizing them as a local nonprofit organization operating in the City of Lansing for the purpose of obtaining a charitable gaming license pursuant to MCL 432.103 (9); and

WHEREAS, the City Attorney has reported that, based on a review of the documentation submitted, the applicant qualifies as a Local 501(c) (3) Nonprofit Organization;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council, hereby, recognizes the Arts Council of Greater Lansing as a local nonprofit organization operating in the City of Lansing for the purposes of obtaining a charitable gaming license to conduct a raffle.

BE IT FURTHER RESOLVED the City Clerk is requested to provide a copy of this resolution to Leslie Donaldson, Executive Director, Arts Council of Greater Lansing, 425 South Grand Avenue, Lansing, Michigan 48933.

By Councilmember Kaltenbach

Motion Carried

RESOLUTION#406

BY THE COMMITTEE ON GENERAL SERVICES
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Robert Plesscher sought to eliminate the special assessments of \$583.97 and \$291.47 and all associated penalties and interest charged on the property tax bill involving board ups placed on the property at 1012 W. Genesee Street; and

WHEREAS, the General Services Committee denied the Claim on October 8, 2007;

NOW, THEREFORE, BE IT RESOLVED that the City Council, hereby, denies the claim filed by Robert Plesscher sought to eliminate the special assessments of \$583.97 and \$291.47 and all associated penalties and interest charged on the property tax bill involving board ups placed on the property at 1012 W. Genesee Street;

BE IT FURTHER RESOLVED that the City Attorney shall take the appropriate steps to process this claim.

By Councilmember Kaltenbach

Motion Carried

RESOLUTION#407

BY THE COMMITTEE ON WAYS & MEANS
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

That the following FY 2007 transfer be approved:

AMOUNT TO TRANSFER	TRANSFER FROM ACCOUNT #	TRANSFER TO ACCOUNT #
\$60,100.30	HOME Fund - Budgetary Program Income 263.000000.630107.00000	
\$54,090.30		HOME Fund - Building Rehabilitation 263.932663.975201.02016
\$6,010.00		HOME Fund - Miscellaneous Operating 263.932663.741000.02016

(Program income to be re-appropriated. Year end accounting for annual receipts of program income. Dedicated for rehabilitation purposes per program guidelines, transfer is needed to bring fund into balance at year end.)

By Councilmember Wood

Motion Carried

RESOLUTION#408

BY THE COMMITTEE ON WAYS AND MEANS
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the State of Michigan is facing record high mortgage foreclosure rates; and

WHEREAS, this crisis is largely the result of predatory and sub-prime lending practices that seek out and target the most vulnerable in our population to offer their products and services; and

WHEREAS, the City of Lansing, in collaboration with Reverend Jesse Jackson, is taking the lead in bringing focus and awareness to the detrimental impacts that these practices are having on the Lansing community and the State of Michigan through Town Hall meetings, and rallies; and

WHEREAS, during the week of October 15th, 2007, a variety of events will be occurring throughout the State of Michigan, with Lansing as the base of operations, to educate the public and encourage revisions in the policies and practices of the lending industry; and

WHEREAS, the conclusion of these events will be a public rally on the steps of the State Capitol with participants from all over the State of Michigan as well as from a host of organizations and the general public; and

WHEREAS, the City of Lansing has submitted a grant request to the Michigan State Housing Development Authority for up to \$50,000 to underwrite the cost for these events;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby approves the acceptance of any grant awarded by the Michigan State Housing Development Authority to assist in the cost for these events.

By Councilmember Wood

Motion Carried

RESOLUTION#409

BY THE COMMITTEE OF THE WHOLE
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Charter of the City of Lansing requires the Council to adopt an annual statement of Budget Policies and Priorities serving to

guide the Administration in developing and presenting the Fiscal Year 2008-09 budget; and

WHEREAS, the City Council recognizes that the State's continuing budget problems and the economy's slow recovery from recession will make the FY 2008-09 budget process difficult and challenging; and

WHEREAS, in light of the present economy the City Council maintains that public and emergency services be protected from budget cuts to the extent possible and that tax increases be considered; and

WHEREAS, the City Council would like to continue its commitment, if funding is available:

- Maintain and improve the City's infrastructure;
- Preserve and ensure clean, safe, well-maintained housing and neighborhoods;
- Provide comprehensive and affordable recreational programs and youth and family services;
- Automate work programs for improved efficiency in service delivery; and

WHEREAS, in considering these FY 2008-09 budget priorities, the Administration is encouraged to ascertain the feasibility of funding any new programs through the reduction of spending in existing program areas; and

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, acknowledges that the City will likely need to adopt, at best, a budget which recognizes the structural changes that are the result of lost revenues and encourages the Administration to prudently develop next year's budget with the following conditions:

- Protection of public and emergency services;
- Use of the Budget Stabilization Fund to prevent layoffs;
- Consider a property tax increase to fund additional patrol officers;

BE IT FURTHER RESOLVED that the Administration review the attached statement of policies and priorities and implement those items that would boost efficiencies to increase productivity or reduce costs, that could replace existing programming, or if funding becomes available, that could be considered as new programming.

GENERAL ADMINISTRATION

Training: All Departments should continue their work to improve community relations and reaffirm the City's commitment to ensure equality and freedom for all people regardless of actual or perceived race, sex, religion, ancestry, national origin, color, sex, age, height, weight, student status, marital status, familial status, housing status, military discharge status, sexual orientation, gender identification or expression, mental or physical limitation, and legal source of income.

Team Concept: The Administration should review and bring back to Council possibilities for providing services on a team basis so that workers develop ownership of their areas.

Arts Commission: The Administration should develop an Arts Commission and submit both the policy and recommendation of members to Council for their approval.

Environmental & Public Health Commission: The Administration should develop an Environmental & Public Health Commission and submit both the policy and recommendation of members to Council for their approval.

Facilities Plan: The Administration is requested to submit a five and ten year Master Facilities Plan. City Council is also requesting that

the Administration continues work on the delayed maintenance issues with regard to all City Facilities. The Administration should develop a plan for consolidation of the North and South Precincts, Central Police Operation, and 54-A District Court and report back to Council within a sufficient amount of time to implement prior to expiration dates on leases.

FINANCE DEPARTMENT

General Budgeting Practices:

1. Administration is to develop a line item budget.
2. Develop and analyze a cost recovery schedule for City services.
3. Develop a return on investment analysis for all proposed changes in City services.

Identify and provide a complete analysis of the City's structural deficits and the Administration's plan to eliminate the same.

FIRE DEPARTMENT

City-wide Emergency Preparedness: The Administration should allocate sufficient funding for the Emergency Management Division to prepare City Employees with appropriate emergency training, continue efforts to prepare the public and neighborhood groups to assist in emergencies, and provide basic search and rescue operations and necessary emergency equipment at key City facilities, and communicate the plan to the public. The Administration should assist residents in times of unforeseen disasters.

Firefighters: The Administration in conjunction with the Internal Auditor is to determine if it is more advantageous to hire additional firefighters rather than increase overtime.

Fire Facilities Maintenance: The Administration is to conduct a study of the maintenance needs of all fire stations.

Fire Stations: All current fire station structures need to remain open unless one is closed in order to open a new station. If there is consideration of a reduction of the level of personnel at a station, it must be promptly brought before Council for approval.

POLICE DEPARTMENT

Police-Community Relations: The Department should continue its work on improving police-community relations and reaffirm the City's commitment to ensure equality and freedom for all people regardless of actual or perceived race, sex, religion, ancestry, national origin, color, sex, age, height, weight, student status, marital status, familial status, housing status, military discharge status, sexual orientation, gender identification or expression, mental or physical limitation, and legal source of income.

Crime Prevention: The Administration is requested and encouraged to invest in programs for long-term crime prevention strategies.

Expedite Hiring Process: The Administration should fill all the vacant funded positions and "front load" positions for the LPD to ensure that all critical positions are filled at all times. These positions are to be filled at all times even if it is on a temporary basis due to officers retiring or being called for reserves. The Administration should look at filling positions with civilians or volunteers allowing more officers on patrol.

Additional Police Officers: The Administration should hire ten additional patrol officers.

LPD Personnel: The Administration is requested to review the way the police department is structured to determine if civilian personnel or

police officers could be deployed differently in order to increase the number of patrol officers on the street.

Allocate Overtime for Zero Tolerance Areas: The Administration should earmark sufficient overtime funds for patrol officers to address problem solving to help curtail crime in zero tolerance areas. The Council recommends that overtime funds should not be taken from the current overtime budgeted line item.

HUMAN RELATIONS AND COMMUNITY SERVICES

Audits of Organizations: The Administration should work with the Internal Auditor to provide the Ways and Means Committee with an analysis of the Federal 990 Statement and any annual audit or financial statement that is compiled by or for the organization that receives funding from HRCS or in-kind contributions in excess of \$5,000 from the City.

Carry Forward Funding: In accordance with the ordinance requiring 1.25% of the revenues set aside for funding of the Human Relations and Community Service programming, City Council wants all of these funds to be carried forward and distributed, which could entail a one time grant to qualified programs to ensure service to the community.

Emergency Housing: The Administration should establish a fund for temporary emergency housing needs which may not be met by outside agencies.

Special Events: The Administration should develop a mechanism to measure the City costs associated with special events filed with the City.

PARKS AND RECREATION DEPARTMENT/PLANNING AND NEIGHBORHOOD DEVELOPMENT DEPARTMENT/PUBLIC SERVICES DEPARTMENT

Consolidation of Ground Maintenance: The Administration should pursue the consolidation of equipment and management for all grounds-related maintenance.

PARKS AND RECREATION DEPARTMENT

Baker/Donora Facility: City Council understands the service that is given at Baker/Donora Focus Center which affects the community in and around the center. Because of the opportunity which now avails itself with the Greater Lansing Housing Coalition and the NPP, City Council requests the Administration to make every effort possible in facilitating and utilizing the funding available to implement the plan for a new building.

River Trail: The Administration should encourage the Parks Department to continue the river trail south and look at the feasibility of connecting the River Trail (through bike lanes/Rails to Trails) to the southwest where there is currently no access to the trail.

Park Millage Usage: Park Millage money should be used for improvements to our existing park facilities.

Davis Park: The Administration should develop a paved trail system around the park from Pleasant Grove to Wise Road including a path through the wooded area.

Golf: The Administration should pursue the recommendations made by the Public Service Committee by means of a 2006 Committee Report and approved by Council through a resolution.

Park Restrooms: The Administration should submit a plan which will allow for restroom facilities in parks to be utilized during the day time hours and weekend use.

South Side Community Center: The Administration should continue

to seek funding and support for developing, operating, and maintaining the South Side Community Center.

PLANNING AND NEIGHBORHOOD DEVELOPMENT DEPARTMENT

Residential Housing: The Administration should submit, within one fiscal year, its plan and necessary funding to increase home ownership, to provide stricter enforcement of the housing code and rental registration, and to reduce by 100 the number of long-term chronic abandoned and burned out houses and commercial buildings in the neighborhoods.

Brownfield Projects: The Administration should pursue a pilot program through the EDC, State, and Federal Government to "front load" Brownfield clean-ups, which enables us to streamline the process for developers with respect to remediation time.

Neighborhood Preservation Program: The Administration should monitor the commitments made by City departments and non profits as part of the Neighborhood Preservation Program and report to Council.

Traffic: The Administration should provide a plan to be pro-active for the replacement of signage (stop signs, traffic signs, etc.). The Administration should implement traffic calming as funds allow if the moratorium is lifted.

Focus on Home Ownership: The Administration should direct the Planning Department to designate the City's HOME dollars for owner-occupied housing.

Beautification: The Administration should include a beautification standard/expectation in all proposed development projects, including those capital projects that are financed with City funds. Such standards should serve as a planning and economic development tool that will enhance property values, create jobs, and revitalize neighborhoods and business areas.

Corridor: City Council encourages the Administration to develop a plan to revitalize and enhance major corridors that lead into the City.

Allocation of Code Compliance Time: The Code Compliance officers should spend an equal amount of their time between rental registration inspections and quality-of-life issues and complaints from residents that may not generate revenue.

Code Compliance: The Code Compliance Office should develop a plan for coverage of code compliance issues during evenings and weekends.

Expedite Improving Abandoned Residential and Commercial Buildings: The City Attorney and the Planning and Neighborhood Development Department should expedite the forced improvements or closure of abandoned, neglected, and burned out houses and commercial buildings and develop a commercial building code.

Housing Court: The Court, City Council, and the Administration should work to create a Housing Court to expedite code enforcement and housing issues.

PUBLIC SERVICE DEPARTMENT

Maintenance: The Administration should ensure money is allocated for the maintenance of alleys, rain gardens, and other public areas.

Street Sweeping: The Administration should develop a plan for maintenance of the street right-of-way, which includes increasing street sweeping, trash, and brush removal.

Compost Material: The Administration is requested to provide a final report to council regarding the cost/benefit of retrofitting yard waste trucks with hydraulic lifts and providing rigid recycling bins that would be compatible with such trucks.

Sidewalks and Skywalks: The Administration should ensure that sidewalks are installed, maintained, and free of snow in high traffic areas to provide the public, especially children, with safe routes to and from schools and shopping areas. The Administration should also submit plans to upgrade the skywalks to make them handicap accessible. The Administration should also meet with the Lansing School District to deal with "hazard zones", and develop a priority list for these areas and a long-term strategy for resolving issues including, but not limited to poor lighting, lack of crossing guards, sidewalk disrepair and no sidewalks.

Sidewalk Repairs: The Administration should provide Council, for their review, the ordinance and mechanism to enact the Sidewalk Inspection Due on Sale of Property Program as well as guidelines that would allow property owners to pay for the replacement/repair of deteriorating sidewalks and be reimbursed by the City for its share of the cost.

Rain Gardens: The Administration is requested to provide a comprehensive design plan and costs for adding to or transitioning from traditional storm sewers to rain gardens, wherever feasible. Every effort should be made to coordinate installation with existing and planned construction projects. The Administration should provide information about and encourage the use of rain gardens on all new development. Once the plan is approved by Council, the Administration shall install rain gardens according to the plan. Once the plan is approved by Council, the Administration shall install rain gardens according to the plan.

Bike Lanes: The Administration is requested to provide a comprehensive design plan and costs for installing bike lanes, wherever feasible, on current roads and integrating bike lanes into future road construction and rehabilitation projects. Once the plan is approved by Council, the Administration shall install bike lanes according to the plan.

Utilities: The Administration should make every effort to coordinate with utility providers to bury utilities where and whenever possible.

CSO Projects: The Administration should partner with City Council to engage in a project review and evaluation of the City's CSO Control Project with a focus on the existing project approach of total separation of the remaining combined sewer system.

CSO Project Funding: The Administration should review and determine long term strategies for financing and funding CSO projects which do not primarily rely on sewer rates.

CSO Construction Contract: The Administration is requested to discontinue the portion of the annual Tetra Tech contract that provides for sub-contracting CSO-related tree work, transfer the amount currently allocated for that work to the Forestry Division, and allow City foresters to work with Tetra Tech to complete CSO related tree work.

By Councilmember Jeffries

To place an affirmative roll on the resolution

By Councilmember Dunbar

To amend the Golf heading, line 2 by adding "2006" after "a"

Motion Carried

The question being the motion to place an affirmative roll on the resolution

Motion Carried

RESOLUTION#410

BY THE COMMITTEE OF THE WHOLE
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the City Attorney requests that 709 W. Saginaw, be set for a public hearing to determine if 709 W. Saginaw, is a public nuisance as defined in Chapter 630 of the Lansing Codified Ordinances; and

WHEREAS, the address of 709 W. Saginaw, is listed as being owned by Mohamad Abduljaber (according to the City of Lansing taxpayer records). This particular address has had four drug investigations within six months: a controlled buy on March 26, 2007 (complaint number LLA070326019716); a controlled buy on April 17, 2007 (complaint number LLA070417025027); frequenting an illegal drug establishment on July 15, 2007 (complaint number LLA0715051317); a drug raid on July 30, 2007 (complaint number LLA07052266). Also, there were two drug investigations outside of 709 W. Saginaw: a stop and talk in front of 709 W. Saginaw on June 10, 2007 (complaint number LLA070610040423); a stop and talk in the driveway of 709 W. Saginaw on July 18, 2007 (complaint number LLA07052266); and

WHEREAS, on March 26, 2007, the Lansing Police Department's Special Operations Section conducted a controlled buy at 709 W. Saginaw. A police informant purchased \$20.00 worth of crack cocaine from 709 W. Saginaw. The evidence included one rock of Crack Cocaine (complaint number LLA070326019716); and

WHEREAS, on May 17, 2007, the Lansing Police Department's Special Operations Section conducted a controlled buy at 709 W. Saginaw. A police informant purchased \$20.00 worth of crack cocaine from 709 W. Saginaw. The evidence included one rock of Crack Cocaine (complaint number LLA070417025027); and

WHEREAS, on July 17, 2007, the officers from the Lansing Police Department made contact with three males loitering behind 709 W. Saginaw. The investigation led the officer to 709 W. Saginaw, Apt. 3. The evidence included: three baggies with possible residue inside, two broken metal hanger "pushers" with burnt ends, and a crack pipe (complaint number LLA070715051317); and

WHEREAS, in accordance with Chapter 630 of the Lansing Codified Ordinances, on July 23, 2007, the City Attorney sent a letter to the owner, Mohamad Abduljaber, 9557 Airport Rd., DeWitt, Michigan 48820 via certified mail/return receipt requested. The returned receipt was dated August 10, 2007 and the signature appears to be Mohamad Abduljaber. The letter stated that under the provisions of Chapter 630 of the Lansing Codified Ordinances, if the property was investigated within six months of July 23, 2007, and controlled substance and/or drug paraphernalia was found, then the City could prohibit occupancy of the property for a period of up to one year and/or hold the owner liable for the full cost of any City personnel subsequent to the first investigation, and the full cost of any City personnel and materials involved in the boarding-up or padlocking and assess those costs against the property; and

WHEREAS, on July 30, 2006 the Lansing Police Department's START was called to assist the Special Operations Section with the execution of a search warrant for drug activity at 709 W. Saginaw. The police discovered evidence that illegal drug activity was occurring. The evidence found included: three small rocks of crack cocaine, one silver crack pipe, and one wire "pusher" (complaint number LLA070730055921); and

WHEREAS, on August 6, 2007, the City Attorney sent a second letter to Mohamad Abduljaber, 9557 Airport Rd., DeWitt, Michigan 48820 notifying the owner of the drug activity on July 30, 2007. The returned receipt was acknowledged on August 11, 2007; and

WHEREAS, the City Attorney recommends that the provisions of Chapter 630 of the Lansing Codified Ordinances be enforced against the property owner; and

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council hereby sets 709 W. Saginaw, for public hearing on November 8, 2007 at 2:00 p.m. in the Lansing City Council Conference Room, 10th floor City Hall, 124 W. Michigan, Lansing, to determine if it is a public nuisance under Chapter 630, and the owner shall be notified of the public hearing pursuant to the Provisions of Chapter 630 of the Lansing Codified Ordinances.

By Councilmember Jeffries

Motion Carried

REPORTS FROM COUNCIL COMMITTEES**RESOLUTION#411**
REPORT OF COMMITTEE

THE COMMITTEE ON GENERAL SERVICES held a meeting on October 8, 2007 and reviewed the re-adoption and re-codification of the Codified Ordinances pursuant to Charter Sections 3-307 and 3-309.

The Committee recommends re-adoption and re-codification of Codified Ordinances pursuant to Charter Sections 3-307 and 3-309

October 15, 2007

Signed: Tim Kaltenbach, Chairperson
Carol Wood, Vice Chairperson
Harold Leeman, Member

By Councilmember Kaltenbach

Motion Carried

ORDINANCES FOR INTRODUCTION

There were no Ordinances for Introduction

ORDINANCES FOR PASSAGE

By Councilmember Kaltenbach

That we move to the passage of Ordinances

By Councilmember Kaltenbach

That the Ordinance when read by its title be considered as read in its entirety.

BY THE COMMITTEE ON GENERAL SERVICES

By Councilmember Kaltenbach

That:

An Ordinance of the City of Lansing, Michigan, readopting the codified ordinances of the City of Lansing be placed on order of immediate passage.

BY THE COMMITTEE ON GENERAL SERVICES

By Councilmember Kaltenbach

That:

An Ordinance of the City of Lansing, Michigan, readopting the codified ordinances of the City of Lansing be now passed.

YEAS: Councilmembers Allen, Dunbar, Jeffries, Kaltenbach, Leeman, Matt, Quinney

NAYS: None

ABSENT: Councilmember Wood Not Present

By Councilmember Kaltenbach

THAT THIS ORDINANCE, BEING NECESSARY FOR THE IMMEDIATE PRESERVATION OF THE PUBLIC, PEACE, HEALTH OR SAFETY SHALL TAKE EFFECT UPON ITS PASSAGE

Motion Carried

ORDINANCE #1125

AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, RE-ADOPTING THE CODIFIED ORDINANCES OF THE CITY OF LANSING, 1997;

WHEREAS, JUSTINIAN PUBLISHING COMPANY PREPARED AND THE CITY COUNCIL ADOPTED THE RECODIFICATION OF CITY ORDINANCES ON SEPTEMBER 28, 1987 IN ORDINANCE NO. 764;

WHEREAS, JUSTINIAN PUBLISHING COMPANY PUBLISHED THE RECODIFICATION OF CITY ORDINANCES ON OCTOBER 6, 1987;

WHEREAS, THE CODIFIED ORDINANCES OF THE CITY OF LANSING WERE EXTENDED ON SEPTEMBER 29, 1997 UNTIL DECEMBER 1, 1997;

WHEREAS, THE CODIFIED ORDINANCES OF THE CITY OF LANSING WERE APPROVED AND READOPTED ON NOVEMBER 24, 1997 UNTIL NOVEMBER 24, 2007;

WHEREAS, THE CODIFIED ORDINANCES OF THE CITY OF LANSING WAS REPUBLISHED ON JUNE 30, 1998, BY MUNICIPAL CODE CORPORATION;

WHEREAS, THE READOPTION AND RECODIFICATION OF CODIFIED ORDINANCES, PURSUANT TO CHARTER SECTIONS 3-307 AND 3-309, IS BEFORE THE

CITY COUNCIL; AND NOW THEREFORE

THE CITY OF LANSING ORDAINS:

SECTION 1. THAT THE 1997 CODE OF ORDINANCES OF THE CITY OF LANSING, MICHIGAN, AS REPUBLISHED BY MUNICIPAL CODE CORPORATION ON JUNE 30, 1998, AND ALL GENERAL AND PERMANENT LEGISLATION OF THE CITY FROM THE DATE OF ENTRY THROUGH NOVEMBER 24, 2007, AS REVISED, CODIFIED, ARRANGED, NUMBERED, EDITED AND CONSOLIDATED INTO COMPONENT CODES, TITLES, CHAPTERS AND SECTIONS ARE HEREBY APPROVED AND READOPTED AS THE CODIFIED ORDINANCES OF LANSING, MICHIGAN 2007, COMPLETE TO NOVEMBER 24, 2007.

SECTION 2. THE READOPTION OF CODIFIED ORDINANCES SHALL NOT BE CONSTRUED TO AFFECT A RIGHT OR LIABILITY ACCRUED OR INCURRED UNDER ANY LEGISLATIVE PROVISION PRIOR TO THE EFFECTIVE DATE OF SUCH READOPTION, OR AN ACTION OR PROCEEDING FOR THE ENFORCEMENT OF SUCH RIGHT OR LIABILITY. SUCH READOPTION SHALL NOT BE CONSTRUED TO RELIEVE ANY PERSON FROM PUNISHMENT FOR AN ACT COMMITTED IN VIOLATION OF ANY SUCH LEGISLATIVE PROVISION, NOR TO AFFECT AN INDICTMENT OR PROSECUTION THEREFOR. FOR SUCH PURPOSES, ANY SUCH LEGISLATIVE PROVISION SHALL CONTINUE IN FULL FORCE NOTWITHSTANDING ITS REPEAL FOR THE PURPOSE OF

REVISION AND CODIFICATION.

SECTION 3. SHOULD ANY SECTION, CLAUSE OR PHRASE OF THIS ORDINANCE BE DECLARED TO BE INVALID, THE SAME SHALL NOT AFFECT THE VALIDITY OF THE ORDINANCE AS A WHOLE, OR ANY PART OTHER THAN THE PART SO DECLARED TO BE INVALID.

SECTION 4. ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT WITH ANY OF THE PROVISIONS OF THIS ORDINANCE ARE HEREBY REPEALED.

SECTION 5. THIS ORDINANCE SHALL AUTOMATICALLY EXPIRE TEN YEARS FROM THE DATE OF READOPTION.

SECTION 6. THIS ORDINANCE SHALL BE EFFECTIVE ON NOVEMBER 24, 2007.

REPORTS FROM CITY OFFICERS, BOARDS, AND COMMISSIONS; COMMUNICATIONS AND PETITIONS; AND OTHER CITY RELATED MATTERS

By Councilmember Jeffries that all items be considered as being read in full and that President Leeman make the appropriate referrals

Motion Carried

Reports from City Officers, Board and Commissions:

- a. Letter from the City Clerk submitting minutes of Boards and Authorities placed on file in the City Clerk's Office

RECEIVED AND PLACED ON FILE

- b. Letters from the Mayor re:

- i. Transfer of Funds; Police Administration, Problem Solving Overtime

REFERRED TO THE COMMITTEE ON WAYS AND MEANS AND INTERNAL AUDIT

- ii. Obsolete Property Rehabilitation Act (OPRA) District Application filed by The Gillespie Company, L.L.C. on behalf of Michigan Avenue Investors, LLC for property located at 1609-1615 E. Michigan Ave.

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

- iii. Public Improvement IV; Curb and Gutter, Storm Sewer for all lands fronting on Picardy St. from Miller Rd. to Bliesener St., excepting all public streets and alleys and other lands deemed not benefited

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES

- iv. Public Improvement I; Curb and Gutter and necessary storm drainage improvements for Bliesener St. from west of Picardy St. to Pheasant Ave., excepting all public streets and alleys and other lands deemed not benefited

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES

- v. General Fund FY 2007 Status – Preliminary

Results

REFERRED TO THE COMMITTEE ON WAYS AND MEANS AND
INTERNAL AUDIT• Communications and Petitions and Other City Related Matters:

- a. Letter from the State of Michigan, Department of Environmental Quality regarding National Pollutant Discharge System (NPDES) permit for the disposal of wastewater from MDOT-Secondary complex located at 8885 Ricks Rd.

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES

- b. Letter from Dan Patton, Director of Eaton County Parks regarding Park Mini-Grants

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES AND
REFERRED TO THE PARKS DEPARTMENT

- c. Letter from National League of Cities providing notice of the 2007 Congress of Cities and its Annual Business Meeting to be held November 17, 2007

RECEIVED AND PLACED ON FILE

- d. Community Funding Reporting Statement filed by Black Child and Family Institute for its Genesee Community Block Party--Community Cares Event held August 11, 2007

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

- e. Letter from John Pollard, President of Fair Share Coalition of Lansing regarding alleged Charter violations by the City Council

REFERRED TO THE CITY ATTORNEY

- f. Letter from Melissa Dey Hasbrook of 335 N. Magnolia Ave. requesting time for dialogue between City Councilmembers and anti-violence advocates

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

- g. Letter from Fred Williams of 350 E. Gier St. regarding street sweeping

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES

- h. Letter from Democratic Caucus of the Ingham County Board of Commissioners in support of the proposed local contractor preference ordinance

*SUSPENSION ITEM-REFERRED TO THE COMMITTEE ON
DEVELOPMENT AND PLANNING

- i. Letter from Robb Munger of DuRay Development in support of and submitting a full-color site plan for proposed Copper River, PRD-2-2007; Vacant land on the west end of Hunter's Ridge Dr.

*SUSPENSION ITEM-REFERRED TO THE COMMITTEE ON
DEVELOPMENT AND PLANNING**REMARKS BY COUNCILMEMBERS**

Vice President Jeffries asked Jerry Ambrose, Executive Assistant to the Mayor, when council will be receiving information about the Board of Water and Light Ottawa Tower.

President Leeman asked Jerry Ambrose if he could please provide answers to questions that were brought up by speakers this evening.

**REMARKS BY THE MAYOR
OR EXECUTIVE ASSISTANT**

Jerry Ambrose, Executive Assistant to the Mayor, said that information about the Board of Water and Light Ottawa Tower is forthcoming and that it should be to Council by Thursday. He spoke about the unveiling of a new project that will take place on Tuesday. He spoke about the Accident Fund proposed project. He stated that he will have an answer to as many questions as he can by Thursday.

ADJOURNED TIME 9:58 P.M.

CHRIS SWOPE, CITY CLERK



**OFFICIAL PROCEEDINGS OF
THE CITY COUNCIL
CITY OF LANSING
PROCEEDINGS OF OCTOBER 22, 2007**

City Council Chambers
Lansing, Michigan

The City Council of the City of Lansing met in regular session and was called to order at 7:00 p.m. by President Leeman.

PRESENT: Councilmembers Allen, Dunbar, Jeffries, Kaltenschbach, Leeman, Matt, Wood

ABSENT: Councilmember Quinney

The Council observed a moment of Meditation followed by the Pledge of Allegiance led by President Leeman

CONSIDERATION OF LATE ITEMS

By Vice President Jeffries

To suspend City Council Rule #11 to allow for Consideration of Late Items

Motion carried

The following items were added to the agenda:

1. From Councilmember Jeffries; Setting a Public Hearing for October 29, 2007 in consideration of IFT-02-07; 2320 N. Grand River Ave., Application for an Industrial Facilities Tax Exemption Certificate filed by Five After LLC
2. From Councilmember Jeffries; Letter from Wallace R. Haley of Haley Law Firm, Brighton, MI on behalf of T-Mobile in support of SLU-2-2007; 3215 W. Mt. Hope Ave., Special Land Use Permit to allow for a Telecommunications Tower
3. From Councilmember Kaltenschbach; Setting a Public Hearing for November 19, 2007 in consideration of a Request for a Waiver of the Provisions of the Noise Ordinance contained in Chapter 654 of the Code of Ordinances filed by the City of Lansing Public Service Department to permit the contractor to work Monday through Friday from 8:00 PM to 10:00 PM and Saturdays from 8:00 AM to 8:00 PM while conducting construction activities on Grand Ave. and Walnut St., and on Sundays from 8:00 AM to 5:00 PM, specifically while conducting construction activities on Grand Ave. in the CSO Downtown 2008/Grand Ave.-Walnut St. Project Area during the 2008 construction season
4. From Councilmember Kaltenschbach; Setting a Public Hearing for November 19, 2007 in consideration of a Request for a Waiver of the Provisions of the Noise Ordinance contained in Chapter 654 of the Code of Ordinances filed by the City of Lansing Public Service Department to permit the contractor to work Monday through Friday from 8:00 PM to 10:00 PM and Saturdays from 8:00 AM to 8:00 PM while conducting construction activities on all streets within the project area, and on Sundays from 8:00 AM to 5:00 PM, specifically while conducting construction on N. East St. in the CSO 013 Northeast Project area during the 2008 and 2009 construction seasons

5. From Councilmember Kaltenschbach; Setting a Public Hearing for November 19, 2007 in consideration of a Request for a Waiver of the Provisions of the Noise Ordinance contained in Chapter 654 of the Code of Ordinances filed by the City of Lansing Public Service Department to permit the contractor to work Monday through Friday from 8:00 PM to 10:00 PM and Saturdays from 8:00 AM to 8:00 PM while conducting construction activities on all streets within the project area, and on Sundays from 8:00 AM to 5:00 PM, specifically while conducting construction on Larch St. and Cedar St. in the CSO 018 Southwest Project Area during the 2008 and 2009 construction seasons
6. From Councilmember Kaltenschbach; Setting a Public Hearing for November 19, 2007 in consideration of a Request for a Waiver of the Provisions of the Noise Ordinance contained in Chapter 654 of the Code of Ordinances filed by the City of Lansing Public Service Department to permit the contractor to work Monday through Friday from 8:00 PM to 10:00 PM and Saturdays from 8:00 AM to 8:00 PM in the CSO 034A Project Area during the 2008 and 2009 construction seasons
7. From Councilmember Kaltenschbach; Setting a Public Hearing for November 19, 2007 in consideration of a Request for a Waiver of the Provisions of the Noise Ordinance contained in Chapter 654 of the Code of Ordinances filed by the City of Lansing Public Service Department to permit the contractor to work Monday through Friday from 8:00 PM to 10:00 PM and Saturdays from 8:00 AM to 8:00 PM while conducting construction activities on all streets within the project area, and on Sundays from 8:00 AM to 5:00 PM, specifically while conducting construction on Larch St. in the CSO 045 Project Area during the 2008 and 2009 construction seasons
8. From Councilmember Allen; Petition containing Eighty-Two (82) signatures submitted by Ted and Jean Boettcher of 320 W. Northrup St. in opposition to Public Improvements on Northrup St.
9. From Councilmember Leeman; Letter from Jack Alexander of 734 Vance St. regarding proposed developments in downtown Lansing

SPECIAL CEREMONIES

• Special Ceremonies

1. Presentation; Mayor's Hometown Hero Award honoring Javier Cavazos

Mayor Bernero presented the Hometown Hero Award to Javier Cavazos for his contributions to youth sports programs in Lansing. He said that it is citizens like Javier who make Lansing a great place to live. He thanked Javier for his dedication to Lansing and its residents.

Javier Cavazos thanked the Mayor for this honor. He said that Lansing is a great place to live and that he is proud to call Lansing his home.

2. Proclamation; Declaration of October 21 through 27, 2007

as Lead Poisoning Prevention Week

Mayor Bernero declared this week as Lead Poisoning Prevention week and stated that removing lead from homes is important for the safety of the kids as well as adults and family pets.

3. Presentation; Certificate of Appreciation for the Draw Down, Clean Up of the Grand River

Councilmember Wood stated that this group of people did something very important for Lansing. She said a committee of residents and City Employees cleaned up the Grand River while the Board of Water and Light had lowered the water level to work on the dams. She said that Lansing should be proud of the overwhelming turnout the day of the event, resulting in tons of trash and debris being removed from the river.

Yvonne LeFave thanked the Council for this honor. She said that she was surprised by the turnout and thanked all the residents who came out to help as well as the City Employees who put in time to clean up the river bank.

COUNCILMEMBERS' COMMENTS AND CITY CLERK'S ANNOUNCEMENTS:

Councilmember Dunbar announced that the Grand River Connection will be hosting an event called "Fourth Tuesday Event." Impression Five Science Center is hosting a Halloween Caper. B.D.'s Mongolian BBQ is hosting a guest griller night. She said there will be a Neighborhood Watch training session held at Hill Vocational Center. She spoke about Cover Our Kids health seminar at Lansing Community College.

Councilmember Wood announced the Coachlight Neighborhood Association Meeting.

Councilmember Allen announced the "Cover Our Kids" event.

Councilmember Matt announced the Woodmere Neighborhood Association meeting and Averill Woods Neighborhood Meeting. He thanked Anita Beavers and Ann Wilson of the Colonial Village Neighborhood Association for hosting the candidate forum.

City Clerk Swope announced that the City General election is in 2 weeks. He said the deadline for write-in candidates is 4:00 p.m. Friday. He spoke about the photo ID requirements. He said there is still time to request an absentee ballot. He said the Election Commission will be meeting on Friday. He announced the candidate forums for Westside Neighborhood Association, Grace Lutheran Church and the Northtown Neighborhood Association.

SPEAKER REGISTRATION FOR PUBLIC COMMENT

(Clerk Swope announced that the public comment registration form(s) for those intending to address Council on legislative or City government matters will be collected and that only those persons who have fully completed the form(s) will be permitted to speak.)

MAYOR'S COMMENTS

Mayor Bernero spoke about the Market Place and Ball Park North developments proposed for Lansing's riverfront. He spoke about the grand opening of the new Gateway to the State Capitol and congratulated Chad Gamble and the Public Service Department for bringing this project to fruition. He also thanked project partners at C2AE, Tetratex, Aggregate Industries and Eastlund Concrete, as well as the Michigan Departments of Transportation and Environmental Quality for their nearly \$3 million in grant funds. He gave special thanks to Aaron Rice, president of the Michigan Great Lakes International Draft Horse Show, for bringing five teams of amazingly large draft horses to the parade around downtown Lansing. He spoke about events last week raising awareness on the mortgage foreclosure crisis that is sweeping

across our state and our City. Mayor Bernero spoke in support of several items on tonight's agenda, including the Brownfield Plans, the Neighborhood Enterprise Zone for the redevelopment of the River Bend/ Whitehall property in Reo Town, the Industrial Development District and transfer of the Industrial Facilities Tax Exemption Certificate for S&S Die Company, the application for an Industrial Facilities Tax Exemption Certificate for Five After LLC for property located at 2320 Grand River Avenue, as well as the OPRA Application for 1609-1615 E. Michigan Avenue.

SHOW CAUSE HEARINGS

- Comment on Scheduled Show Cause Hearings:

There were no Show Cause Hearings

PUBLIC COMMENT ON LEGISLATIVE MATTERS

- Public Comment on Legislative Matters:

Legislative Matters included the following public hearings:

1. In consideration of Brownfield Redevelopment Plan #33; The Abigail School for the Blind Redevelopment Project, property located at 715 W. Willow filed by the Lansing Housing Commission
2. In consideration of Brownfield Redevelopment Plan #34; The Library School for the Blind Redevelopment Project, property located at 600 Maple St. filed by the Greater Lansing Housing Coalition

Vice President Jeffries gave a brief overview of the Public Hearings.

A'Lynne Robinson of 2515 Victor Ave spoke in opposition to the proposed T-Mobile Cell Tower and the Hunters Ridge project.

Richard Clement of 900 Long Blvd spoke in support of the rezoning request for Spartan Internet Consultants.

Christine Timmon of 2519 Washington Ave. spoke in opposition to the OPRA request filed by the Gillespie Company.

Linda Appling of 4010 Thackin Dr spoke in support of the denial of the request for the Hunters Ridge project.

Alice Pfeiffer of Hunter's Ridge Dr. spoke in support of the denial of the Hunters Ridge project.

Darnell E. Oldham Sr of 3815 Berwick Dr spoke in opposition to the Brownfield request and the Hunters Ridge project.

Mikki Myszak of 1017 W. Lapeer St. spoke in support of the Brownfield projects.

John Pollard of 1718 Blair St. spoke in opposition to the Cell Tower and spoke in support of the denial of the Hunters Ridge project.

Charlene Decker of 2711 Pleasant Grove Rd. spoke in support of the denial of the Hunter's Ridge project. She gave suggestions on where to place new cell phone towers.

Dru Vinson of 606 S. Fairview Ave. spoke in opposition to the Brownfield projects and the cell tower.

Robb Munger of Grand Rapids spoke about the Hunters Ridge project.

Ann Kostin-McGill of 2513 Skye Rd spoke about concerns that she has with the cell tower request.

REFERRAL OF PUBLIC HEARINGS

1. In consideration of Brownfield Redevelopment Plan #33; The Abigail School for the Blind Redevelopment Project, property located at 715 W. Willow filed by the Lansing Housing Commission

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

2. In consideration of Brownfield Redevelopment Plan #34; The Library School for the Blind Redevelopment Project, property located at 600 Maple St. filed by the Greater Lansing Housing Coalition

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

PUBLIC COMMENT ON CITY GOVERNMENT RELATED MATTERS:

Ted Boettcher of 320 W. Northrup St. spoke in opposition to the proposed project for Northrup Road.

William Hubbell of 3916 Wedgewood Dr. spoke about all the downtown redevelopment projects.

Dale Abronowitz of 1811 Sunset Ave. spoke about various city matters.

Michael Morofsky of 1300 Woodbine Ave. gave an update on repairs to the railroad tracks.

Nancy Parsons-Mahlow of 430 N. Fairview Ave. spoke about the Michigan Avenue development.

Richard Clement of 900 Long Blvd spoke about various city matters.

Stan Shuck of 818 Cooper Ave. spoke about various city matters.

Christine Timmon of 2519 Washington Ave. spoke about various city matters.

Bob Gray of 422 Dadson Dr spoke about various city matters.

Darnell E. Oldham Sr of 3815 Berwick Dr spoke about various city matters.

DelRae Finnerty of 214 Lathrop St spoke about the Spartan Internet Company.

Frank S. Curtis X of 1137 West Allegan St. spoke about various city matters.

John Pollard of 1718 Blair St. spoke about various city matters.

Willie Hobbs of 5017 S. Conners Ave. spoke about various city matters.

Jason Mayland of 723 N. Sycamore St. spoke about various city matters.

Dru Vinson of 606 S. Fairview Ave. spoke about various city matters.

Willy Williams of P O Box 11042 spoke about various city matters.

LEGISLATIVE MATTERS

RESOLUTIONS

RESOLUTION#412

BY THE COMMITTEE ON DEVELOPMENT AND PLANNING
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

PRD-2-2007

Planned Residential Development - Copper Bend

WHEREAS, DuRay Development LLC is requesting approval of a Planned Residential Development for a 28.47 acre parcel of property located at the west end of Hunter's Ridge Drive, in the "A" Residential District, to develop 123 single family condominium units; and

WHEREAS, the Planning Board held a public hearing for the Planned Residential Development permit on August 21, 2007, where the applicant and the property owner spoke in favor and 21 area residents stated opposition to the proposal, expressing concerns regarding the displacement of wildlife and the proposed developments impact on traffic and property values; and

WHEREAS, the Planning Board reviewed the petition at its meeting of August 21, 2007 and found that the Planned Residential Development, with conditions, meets the criteria set forth in §1280.02(e) and §1282.02(f) of the *Zoning Code*; based on testimony, evidence, and the staff report; and

WHEREAS, the Planning Board, after review of the petition at its meeting of August 21, 2007, voted unanimously (5-0) to recommend approval of PRD-2-07; and

WHEREAS, the City Council held a public hearing on October 1, 2007, at which the applicant spoke in favor and 2 individuals spoke in support of the petition and 17 individuals spoke in opposition to the petition; and

WHEREAS, the City Council Committee on Development & Planning has reviewed the report of the Planning Board and does not concur therewith.

NOW, THEREFORE, BE IT RESOLVED that the City Council hereby denies the Planned Residential Development request (PRD-2-07), to permit the development of 123 new single family condominiums at the west end of Hunter's Ridge Drive.

BE IT FINALLY RESOLVED that in denying this request, the City Council determines the following:

1. The proposed planned residential development will interfere with the general enjoyment of adjacent properties by placing excessive demand on the use of Hunter's Ridge Drive. 123 units will generate approximately 1,230 additional trips per day on Hunter's Ridge Drive which will diminish the quality of life for the residents in the area.
2. The proposed planned residential development does not represent an improvement to the use or character of the property under consideration and the surrounding area in general. More specifically, the homes being proposed by the applicant are substantially smaller and of much lesser value than the homes located directly to the north.
3. The applicant has not demonstrated that the site can be adequately served by essential public facilities and services (streets).
4. The proposed planned residential development will place demands on public services and facilities, specifically with regard to increased traffic on Hunter's Ridge Drive, in excess of current capacities. The development will also

add to the traffic congestion already being experienced by the residents of the area near the intersection of Waverly Road and Hunter's Ridge Drive.

By Councilmember Jeffries

Motion Carried

**THIS ITEM WAS RETURNED TO COMMITTEE
BY COMMITTEE ON DEVELOPMENT AND PLANNING
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING**

**RESOLUTION TO ESTABLISH
No. 21 Riverbend/Whitehall
NEIGHBORHOOD ENTERPRISE ZONE**

WHEREAS, the City of Lansing continues to promote the effort to improve neighborhoods by encouraging the rehabilitation of existing housing, promoting home ownership and facilitating construction of new housing units in the City; and

WHEREAS, Public Act 147, 1992 of the State of Michigan, the Neighborhood Enterprise Zone Act, was enacted to encourage new housing construction and rehabilitation of existing housing units and structures in older established cities in the State, including the City of Lansing, by allowing communities to grant tax abatement on specific residential properties located within districts which are designated by the community; and

WHEREAS, as required by P.A. 147 of 1992, the City Assessor and each taxing unit were notified on July 31, 2007 of the City's intent to establish a new Neighborhood Enterprise Zone, and that written notice was received not less than 60 days before the passage of a resolution for designation of a Neighborhood Enterprise Zone; and

WHEREAS, as required by P.A. 147 of 1992, prior to acting on this request, on August 13, 2007 a public hearing was held on the establishment of a new Neighborhood Enterprise Zone. The public hearing was held not later than 45 days after notification of the taxing units; and

WHEREAS, as required by P.A. 147 of 1992, the City Council has been furnished with the amount of the True Cash Value of the property located within the proposed Neighborhood Enterprise Zone as noted in a document titled "Neighborhood Enterprise Zone No. 21 Riverbend/Whitehall T.C.V.," as filed with the City Clerk;

NOW THEREFORE BE IT RESOLVED, that as required by P.A. 147 of 1992, the City Council makes the following findings:

- 1) The City Council has previously adopted a housing inspection code ordinance which meets the requirements of P.A. 147 of 1992.
- 2) The proposed Neighborhood Enterprise Zone is consistent with the area master plan, and the neighborhood preservation and economic development goals of the City.
- 3) The goals, objectives and policies prepared for the five-year U.S. Department of Housing and Urban Development Consolidated Plan and the *Goals & Objectives for the Twenty-first Century* as adopted by the City Council meet the intended goals, objectives and policy for the Neighborhood Enterprise Zones relative to the maintenance, preservation, improvement, and development of housing for all persons regardless of income level living within a Neighborhood Enterprise Zone.

BE IT FURTHER RESOLVED that the Lansing City Council approves the amended boundaries for the new Neighborhood Enterprise Zone as depicted in the diagram filed with the City Clerk and as described below:

Riverbend-Whitehall, No. 21

Boundaries: Main St. to the north, The Grand River to the south, Townsend St. to the West, and east line 33-01-01-21-203-903 of parcel to the East.

BE IT FURTHER RESOLVED that the Lansing City Council hereby establishes a Neighborhood Enterprise Zone with the intended purpose of promoting residential development, as listed by parcel number in said document titled "New Neighborhood Enterprise Zone Parcel Codes/Addresses, Zone 21, Riverbend/Whitehall" and as represented on the maps filed as "Attachment A" of said document, as filed with the City Clerk.

BE IT FURTHER RESOLVED that the administration through its contractual obligation with the Economic Development Corporation of the City of Lansing is authorized to implement the Neighborhood Enterprise Zone program in Zone 21, Riverbend/Whitehall in accordance with P.A. 147, of 1992.

BE IT FINALLY RESOLVED that the City Clerk forward three certified copies of this resolution to the Economic Development Corporation so that this action shall be filed with the State Department of Treasury.

RESOLUTION#413

**BY THE COMMITTEE ON DEVELOPMENT AND PLANNING
RESOLVED BY THE CITY COUNCIL OF LANSING
IDD – S&S Die Company**

WHEREAS, the City Council of the City of Lansing has received a request from S&S Die Company to create a Lansing Industrial Development District (IDD-2-07) encompassing property commonly known as 2727 Lyons Ave. legally described as follows:

COM 521 FT N OF SEC COR SOUTH PARKWOOD SUB, TH E 836.1 FT, N 309.1 FT TO WLY LINE CONSUMERS POWER CO R/W, NWLY ALONG SAID R/W 290.1 FT TO E&W 1/4 LINE, W ON 1/4 LINE 754 FT TO E LINE SOUTH PARKWOOD SUB, S 581.55 FT TO BEG; SEC 27 T4N R2W

WHEREAS, prior to acting on this request, it is necessary to hold a public hearing on the proposed creation of IDD-2-07, to allow for all residents, taxpayers and other interested persons the right to appear and be heard;

NOW, THEREFORE, BE IT RESOLVED, that a public hearing be held in the City Council Chambers of the City of Lansing, 10th Floor, Lansing City Hall, Lansing Michigan, on the 19 th day of November, 2007 at 7:00 p.m. when all persons interested may attend and be heard and make any objection they may have to the proposed District, and that the City Clerk cause to be published notice of such hearing in a publication of general circulation, and that the City Clerk also cause the owners of real property located within the proposed amended district to be notified by certified mail of the request and the scheduled public hearing.

By Councilmember Jeffries

Motion Carried

RESOLUTION#414

**BY THE PLANNING AND DEVELOPMENT COMMITTEE
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING
S&S DIE COMPANY**

WHEREAS, the City of Lansing received and filed a Transfer Application of an Industrial Facilities Tax Exemption from S&S Die Company on the approved Industrial Facilities Exemption Certificate (IFT-01-07) pursuant to Public Act 198 of 1974, as amended; and

WHEREAS, prior to acting upon this request, it is necessary to hold a public hearing on S&S Die Company's Transfer Application of Industrial Facilities Exemption Certificate (IFT-01-07), to allow for any resident or taxpayer or ad valorem taxing unit the right to appear and be heard;

NOW, THEREFORE, BE IT RESOLVED that a public hearing be held in the City Council Chambers of the City of Lansing, 10th Floor, Lansing City Hall, Lansing, Michigan, on the 19th day of November, 2007 at 7:00 p.m., on the Transfer Application of the S&S Die Company Industrial Facilities Exemption Certificate (IFT-01-07) from within the boundary more particularly described as:

THAT PART BLOCK 225 LYING N'LY & E'LY OF A LINE COM 202.63 FT S OF NE BLOCK COR, TH N 80DEG 08MIN 47SCD W 15.14 FT, S 09DEG 51MIN 13 SCD E 5 FT, N 80DEG 08MIN 47SCD W 84 FT, N 09DEG 51MIN 13SCD E 35 FT, N 80DEG 08MIN 47SCD W 59.55 FT, N 20DEG 08MIN 47SCD W 106.65 FT, N 80DEG 08MIN 47SCD W 58.31 FT, TO E LINE RIVER WALK, N 15DEG 49MIN 05SCD E 58.31 FT TO POE; BLOCK 225 ORIG PLAT

To be transferred to the property more particularly described as:

COM 521 FT N OF SE COR SOUTH PARKWOOD SUB, TH E 83 6.1 FT, N 309.1 FT TO W'LY LINE CONSUMERS POWER CO R/W, NW'LY ALONG SAID R/W 290.1 FT TO E&W 1/4 LINE, W ON 1/4 LINE 754 FT TO E LINE SOUTH PARKWOOD SUB, S 581.55 FT TO BEG; SEC 27 T4N R2W

and that the City Clerk cause to be published in a publication of general circulation giving notice of such hearing and that the City Clerk also cause the legislative body of each taxing unit levying ad valorem taxes on this property, as well as the owners of real property located within the stated boundary, be notified by certified mail of this application and the scheduled public hearing.

By Councilmember Jeffries

Motion Carried

RESOLUTION#415

BY THE COMMITTEE ON DEVELOPMENT AND PLANNING
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

Resolved by the City Council of the City of Lansing that a public hearing be set for Monday, November 19, 2007, at 7 p.m. in City Council Chambers, Tenth Floor, Lansing City Hall, 124 West Michigan Avenue, Lansing, Michigan, for the purpose of opposing and/or approving the proposed Special Land Use, SLU-3-2007, 209 N. Walnut Street, Church in a "D-1" Professional Office District.

By Councilmember Jeffries

Motion Carried

RESOLUTION#416

BY THE DEVELOPMENT AND PLANNING COMMITTEE
RESOLUTION TO SET A PUBLIC HEARING REGARDING THE
ESTABLISHMENT OF AN OBSOLETE PROPERTY
REHABILITATION DISTRICT
1609-1615 East Michigan Ave

WHEREAS, the owner of property located at 1609-1615 East Michigan Ave in the City of Lansing, Michigan (the Property) has requested in writing that the City of Lansing establish an Obsolete Property Rehabilitation District (the District) as enabled by Public Act 146 of 2000, the Obsolete Property Rehabilitation Act (the Act), and

WHEREAS, the owner of the Property, Michigan Avenue Investors, LLC, is presently the legal owner of greater than fifty percent (50%) of all taxable value of the property located within the proposed District, and

WHEREAS, the property in question and the proposed boundary of the District is legally described as: LOTS 4, 7 & 8, ALSO S 9.17 FT LOT 3, W 27 FT OF S 85 F LOT 6 & N 63.5 FT LOTS 5 & 6 BLOCK 5 RUMSEYS MICHIGAN AVE ADD; and,

WHEREAS, the Act requires that before establishing a District the Lansing City Council hold a public hearing in order to provide an opportunity for owners, residents or other taxpayers of the City of Lansing to appear and be heard regarding the establishment of the District.

NOW THEREFORE BE IT RESOLVED that a public hearing be held in the City Council Chambers of the City of Lansing, 10th Floor, Lansing City Hall, Lansing, Michigan, on the 19th Day of November, 2007 at 7:00 p.m. for the purpose of receiving public comment on the establishment of an Obsolete Property Rehabilitation District under the provisions of Public Act 146 of 2000 and that the Clerk shall publish once in a publication of general circulation within the community a notice of the scheduled public hearing and that the notice appear not less than 10 or more than 30 days prior to the date of the hearing and that the Clerk also cause the owner of property within the proposed district to receive written notice of the public hearing to be delivered by certified mail.

By Councilmember Jeffries

Motion Carried

RESOLUTION#417

BY COUNCILMEMBER BRIAN JEFFRIES
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

SLU-2-2007, 3215 W. Mt. Hope Avenue, Telecommunications Tower in the "DM-3" Residential District

WHEREAS, the applicant, Haley Law Firm on behalf of T-Mobile, has requested a Special Land Use permit (SLU-2-2007) to construct a 125-foot high telecommunications tower at 3215 W. Mt. Hope Avenue; and

WHEREAS, the property is zoned "DM-3" Residential District where telecommunication towers are permitted subject to obtaining a special land use permit; and

WHEREAS, a review was completed by staff evaluating the character, location and impact this proposal would have on the surrounding area and the impact on the environment, utilities, services and compliance with the Zoning Code and objectives of the Comprehensive Plan; and

WHEREAS, the Planning Board held a public hearing on July 17, 2007 at which time the applicant's representative spoke in favor and seven individuals spoke in opposition to the request; and

WHEREAS, the Planning Board (based upon testimony, evidence and the staff report) at its August 21, 2007 meeting, voted unanimously (5-0) to recommend approval of SLU-2-2007 to allow a telecommunications tower in the "DM-3" Residential District, subject to four conditions; and

WHEREAS, the City Council held a public hearing regarding SLU-2-2007 on October 1, 2007 at which the applicant's representative spoke in favor and nine individuals spoke in opposition to the request; and

WHEREAS, the Committee on Development and Planning has reviewed the report and recommendation of the Planning Board and does not concur therewith;

NOW THEREFORE BE IT RESOLVED that the Lansing City Council hereby denies SLU-2-2007, to allow a telecommunications tower in

the "DM-3" Residential District.

BE IT FINALLY RESOLVED that in denying this request, the City Council determines the following:

1. The tower will not be designed in a manner that is harmonious with the surrounding area as it will be 125 feet in height which is substantially taller than anything else in the area including the mature trees on the site.
2. The proposed tower will change the essential character of the area by introducing a non-residential use into an area that is almost exclusively residential.
3. The proposed tower could interfere with the enjoyment of adjacent properties by diminishing the views from the neighboring homes. More specifically, the tower, along with the related equipment in the fenced compound area, will have an industrial appearance that is inconsistent with a residential area.
4. The tower will not represent an improvement to the site or the surrounding area as it will result in the loss of several mature trees on the site.
5. The close proximity of the tower to the surrounding residential neighborhoods could present a safety hazard by potentially creating an attractive nuisance for children in the area.
6. The Southwest Area Comprehensive Plan designates this site for medium density residential development. Therefore, the tower does not comply with the designation of the currently adopted comprehensive plan.
7. The proposed tower does not meet the requirements of the "DM-3" Residential district. Since the maximum permitted height in the "DM-3" Residential district is 45 feet, the applicant had to obtain a variance from the Board of Zoning Appeals to permit the additional 80 feet for a 125 foot tall tower.

By Councilmember Jeffries

To place an affirmative roll on the resolution

By Councilmember Jeffries

To amend the NOW THEREFORE BE IT RESOLVED clause by replacing "7" with "2" after SLU-

Motion Carried

The question being the motion to place an affirmative roll on the resolution

Motion Carried

RESOLUTION#418

BY THE PLANNING AND DEVELOPMENT COMMITTEE
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING
Five After LLC

WHEREAS, the City of Lansing received and filed an application from Five After LLC requesting an Industrial Facilities Exemption Certificate (IFT-02-07) pursuant to Public Act 198 of 1974, as amended; and

WHEREAS, prior to acting upon this request, it is necessary to hold a public hearing on Five After LLC's application for an Industrial Facilities Exemption Certificate (IFT-02-07), to allow for any resident or taxpayer or ad valorem taxing unit the right to appear and be heard;

NOW, THEREFORE, BE IT RESOLVED that a public hearing be held in the City Council Chambers of the City of Lansing, 10th Floor, Lansing City Hall, Lansing, Michigan, on the 29th day of October, 2007 at 7:00 p.m., on the Five After LLC application for an Industrial Facilities Exemption Certificate (IFT-02-07) located within the boundary more particularly described as:

LOTS 20 & 21, ASSESOR'S PLAT NO. 57, according to the plat thereof recorded in Liber 29 of Plats, Page 41, 42, 43, and 44, Ingham County Records

and that the City Clerk cause to be published in a publication of general circulation giving notice of such hearing and that the City Clerk also cause the legislative body of each taxing unit levying ad valorem taxes on this property, as well as the owners of real property located within the stated boundary, be notified by certified mail of this application and the scheduled public hearing.

By Councilmember Jeffries

Motion Carried

RESOLUTION#419

BY THE COMMITTEE ON GENERAL SERVICES
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the City of Lansing Department of Public Service in 2008 will be conducting sewer separation and sewer rehabilitation in the CSO Downtown 2008 / Grand Avenue - Walnut Street Project Area, which is Grand Avenue from Shiawassee Street to St. Joseph Street and Walnut Street from Shiawassee Street to Ottawa Street; and

WHEREAS, the City of Lansing Department of Public Service is requesting a waiver of the noise ordinance to help expedite construction in the CSO Downtown 2008 / Grand Avenue - Walnut Street Project Area; and

WHEREAS, the City of Lansing Public Service Department recommends that the contractor be permitted to work Monday through Friday from 8:00 PM to 10:00 PM and Saturdays from 8:00 AM to 8:00 PM, while conducting construction activities on Grand Avenue and Walnut Street, and on Sundays from 8:00 AM to 5:00 PM, specifically while conducting construction activities on Grand Avenue; and

NOW THEREFORE BE IT RESOLVED that a public hearing be held on Monday, November 19, 2007, at 7:00 PM in the City of Lansing Council Chambers, 124 W. Michigan, in consideration of the request for issuance of a waiver of the noise ordinance to permit the contractor to work Monday through Friday from 8:00 PM to 10:00 PM and Saturdays from 8:00 AM to 8:00 PM, while conducting construction activities on Grand Avenue and Walnut Street, and on Sundays from 8:00 AM to 5:00 PM, specifically while conducting construction activities on Grand Avenue. This waiver of the noise ordinance would be applicable during the 2008 construction season.

By Councilmember Kaltenbach

Motion Carried

RESOLUTION#420

BY THE COMMITTEE ON GENERAL SERVICES
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the City of Lansing Department of Public Service in 2008 and 2009 will be separating the sewers in the CSO 013 Northeast Project Area, which is roughly bounded by Sheridan Road, Creston Avenue, Chilson Avenue, and Seventh Street; and

WHEREAS, the City of Lansing Department of Public Service is requesting a waiver of the noise ordinance to help expedite construction in the CSO 013 Northeast Project Area; and

WHEREAS, the City of Lansing Public Service Department recommends that the contractor be permitted to work Monday through Friday from 8:00 PM to 10:00 PM and Saturdays from 8:00 AM to 8:00 PM, while conducting construction activities on all streets within the project area, and on Sundays from 8:00 AM to 5:00 PM, specifically while conducting construction activities on North East Street (i.e., Business U.S. 27); and

NOW, THEREFORE, BE IT RESOLVED that a public hearing be held on Monday, November 19, 2007, at 7:00 PM in the City of Lansing Council Chambers, 124 W. Michigan, in consideration of the request for issuance of a waiver of the noise ordinance to permit the contractor to work Monday through Friday from 8:00 PM to 10:00 PM and Saturdays from 8:00 AM to 8:00 PM, while conducting construction activities on all streets within the project area, and on Sundays from 8:00 AM to 5:00 PM, specifically while conducting construction activities on North East Street (i.e., Business U.S. 27). This waiver of the noise ordinance would be applicable during the 2008 construction season and the 2009 construction season.

By Councilmember Kaltenbach

Motion Carried

RESOLUTION#421

BY THE COMMITTEE ON GENERAL SERVICES
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the City of Lansing Department of Public Service in 2008 and 2009 will be separating the sewers in the CSO 018 Southwest Project Area, which is roughly bounded by Grand River Avenue, Center Street, Saginaw Street, and Pennsylvania Avenue; and

WHEREAS, the City of Lansing Department of Public Service is requesting a waiver of the noise ordinance to help expedite construction in the CSO 018 Southwest Project Area; and

WHEREAS, the City of Lansing Public Service Department recommends that the contractor be permitted to work Monday through Friday from 8:00 PM to 10:00 PM and Saturdays from 8:00 AM to 8:00 PM, while conducting construction activities on all streets within the project area, and on Sundays from 8:00 AM to 5:00 PM, specifically while conducting construction activities on Larch Street and Cedar Street; and

NOW THEREFORE BE IT RESOLVED that a public hearing be held on Monday, November 19, 2007, at 7:00 PM in the City of Lansing Council Chambers, 124 W. Michigan, in consideration of the request for issuance of a waiver of the noise ordinance to permit the contractor to work Monday through Friday from 8:00 PM to 10:00 PM and Saturdays from 8:00 AM to 8:00 PM, while conducting construction activities on all streets within the project area, and on Sundays from 8:00 AM to 5:00 PM, specifically while conducting construction activities on Larch Street and Cedar Street. This waiver of the noise ordinance would be applicable during the 2008 construction season and the 2009 construction season.

By Councilmember Kaltenbach

Motion Carried

RESOLUTION#422

BY THE COMMITTEE ON GENERAL SERVICES
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the City of Lansing Department of Public Service in 2008 and 2009 will be separating the sewers in the CSO 034A Project Area, which is roughly bounded by Martin Luther King Boulevard, Lenore Avenue, Osband Avenue, and S. Rundle Avenue; and

WHEREAS, the City of Lansing Department of Public Service is requesting a waiver of the noise ordinance to help expedite construction in the CSO 034A Project Area; and

WHEREAS, the City of Lansing Public Service Department recommends that the contractor be permitted to work Monday through Friday from 8:00 PM to 10:00 PM and Saturdays from 8:00 AM to 8:00 PM, while conducting construction activities necessary to completion of the project; and

NOW THEREFORE BE IT RESOLVED that a public hearing be held on Monday, November 19, 2007, at 7:00 PM in the City of Lansing Council Chambers, 124 W. Michigan, in consideration of the request for issuance of a waiver of the noise ordinance to permit the contractor to work Monday through Friday from 8:00 PM to 10:00 PM and Saturdays from 8:00 AM to 8:00 PM. This waiver of the noise ordinance would be applicable during the 2008 construction season and the 2009 construction season.

By Councilmember Kaltenbach

Motion Carried

RESOLUTION#423

BY THE COMMITTEE ON GENERAL SERVICES
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the City of Lansing Department of Public Service in 2008 and 2009 will be separating the sewers in the CSO 045 Project Area, which is roughly bounded by May Street, Larch Street, Shiawassee Street, and Cleveland Street; and

WHEREAS, the City of Lansing Department of Public Service is requesting a waiver of the noise ordinance to help expedite construction in the CSO 045 Project Area; and

WHEREAS, the City of Lansing Public Service Department recommends that the contractor be permitted to work Monday through Friday from 8:00 PM to 10:00 PM and Saturdays from 8:00 AM to 8:00 PM, while conducting construction activities on all streets within the project area, and on Sundays from 8:00 AM to 5:00 PM, specifically while conducting construction activities on Larch Street; and

NOW THEREFORE BE IT RESOLVED that a public hearing be held on Monday, November 19, 2007, at 7:00 PM in the City of Lansing Council Chambers, 124 W. Michigan, in consideration of the request for issuance of a waiver of the noise ordinance to permit the contractor to work Monday through Friday from 8:00 PM to 10:00 PM and Saturdays from 8:00 AM to 8:00 PM, while conducting construction activities on all streets within the project area, and on Sundays from 8:00 AM to 5:00 PM, specifically while conducting construction activities on Larch Street. This waiver of the noise ordinance would be applicable during the 2008 construction season and the 2009 construction season.

By Councilmember Kaltenbach

Motion Carried

THIS ITEM WAS RETURNED TO COMMITTEE

BY THE COMMITTEE ON PUBLIC SAFETY
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, as part of the Transportation and Parking Office's

Neighborhood Study / Traffic Calming Program the Transportation and Parking Office recommended the installation of raised intersections along Lindbergh Drive, Pattengill Avenue, and Smith Avenue and the installation of speed humps and raised crosswalks on Sparrow Avenue and Moores River Drive;

WHEREAS, the Lansing City Council approved the installation of the raised intersections along Lindbergh Drive in 2002 and along Pattengill Avenue, Sparrow Avenue, Smith Avenue and Moores River Drive in 2003;

WHEREAS, due to a lack of funding and construction issues the Transportation and Parking office is unable to construct the approved measures as planned;

WHEREAS, the Transportation and Parking office has reviewed the approved traffic calming measures in neighborhoods that have not been fully completed to identify potential traffic calming measures that would provide a similar benefit at a reduced cost;

WHEREAS, the Transportation and Parking office recommends removing the remaining approved traffic calming measures that have not been installed along Sparrow Avenue and Moores River Drive on the basis that the existing vehicular speeds along the untreated areas are such that the installation of traffic calming measures would not provide a significant benefit;

WHEREAS, the Transportation and Parking office recommends replacing the proposed raised intersections along Lindbergh Drive and Pattengill Avenue with one raised crosswalk on Lindbergh Drive at Pershing Avenue and the appropriate number of raised crosswalks along Pattengill Avenue on the basis that the raised crosswalks will provide enhanced pedestrian safety and assist with vehicular speed reduction along uncontrolled approaches to an intersection;

WHEREAS, the Mayor concurs with the recommendation of the Transportation and Parking Office;

WHEREAS, the Committee on Public Safety reviewed and concurs with the recommendation of the Administration;

NOW, THEREFORE, BE IT RESOLVED, that the Lansing City Council approves the installation of raised crosswalks on Lindbergh Drive and on Pattengill Avenue and approves the removal of the traffic calming measures along Sparrow Avenue and Moores River Drive that have not been constructed from the approved Area 18 Traffic Calming Plan;

BE IT FURTHER RESOLVED, that the Transportation Engineer is hereby authorized to implement the revised plan for Lindbergh Drive and Pattengill Avenue, including all required traffic control orders as necessary;

BE IT FINALLY RESOLVED, that the Committee on Public Safety and the Transportation and Parking Office will continue to monitor the implemented measures of the traffic calming plan.

By Councilmember Allen

To place an affirmative roll on the resolution

By Councilmember Kaltenbach

To amend the NOW THEREFORE BE IT RESOLVED CLAUSE after "Pattengill Avenue" by striking the balance of the clause

Motion Carried

By Councilmember Allen

To return this resolution to committee

Motion Carried

RESOLUTION#424

BY THE COMMITTEE ON PUBLIC SERVICES
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

PUBLIC IMPROVEMENT I

WHEREAS, the Public Service Department has established the need for construction of **curb and gutter and the necessary storm drainage facilities on Bliesener Street from West of Picardy to Pheasant Avenue**, according to the valid petition received by the Public Service Department signed by 63% of the benefited property owners representing 75% of the benefited frontage lots; and

WHEREAS, the City Council has determined that this proposed public improvement will benefit especially properties in the vicinity of the work to be done and that a benefit district pursuant to Chapter 1026 of the Lansing Code of Ordinances should be established to be specially assessed for the public improvement;

NOW, THEREFORE, BE IT RESOLVED that the City Council hereby determines it to be of a public necessity to construct the following public improvements: **curb and gutter and the necessary storm drainage in Bliesener Street from West of Picardy to Pheasant Avenue.**

BE IT FURTHER RESOLVED that the cost of these improvements is to be financed by special assessments to the benefited property owners, and that the City's public share of the project shall be paid from FY09 Act 51 Road Funds.

BE IT FINALLY RESOLVED that the Department of Public Service is hereby authorized to prepare necessary plans and specifications for these improvements, obtain the necessary easements for construction, and to determine the cost of said project in sufficient detail to establish the special assessment district and the applicable assessment to the properties in the district, and to furnish said information to the Mayor and City Council.

By Councilmember Dunbar

Motion Carried

RESOLUTION#425

BY THE COMMITTEE ON PUBLIC SERVICES
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

PUBLIC IMPROVEMENT IV

WHEREAS, pursuant to resolution #391 adopted by this council on September 24, 2007 the City Assessor held a public hearing on October 8, 2007, for Assessment Roll #G392 and;

PROJECT TITLE: PS# 01086
Picardy Street from Miller Road to
Bliesener Street

PROPERTY BENEFITTED
CURB AND GUTTER: All lands fronting on Picardy Street
from Miller Road to Bliesener Street,
excepting all public streets and alleys
and other land deemed not benefited.

COST OF IMPROVEMENTS:

Assessment Roll Number	City Contribution	Assessable to Property Owner
Curb and Gutter	\$1,650.82	\$12,722.96

Costs		
Storm Sewer Costs	\$0.00	\$0.00
Driveway Costs	\$759.00	\$1,863.00
Other Costs	\$25,929.00	\$0.00
Total	\$28,338.82	\$14,585.96

NOW THEREFORE, BE IT RESOLVED the Lansing City Council hereby directs that special assessment roll number G392 as returned by the City Assessor, be ratified and confirmed, to collect said tax within 90 days after the approval of the assessment roll.

By Councilmember Dunbar

Motion Carried

REPORTS FROM COUNCIL COMMITTEES

RESOLUTION#426 REPORT OF COMMITTEE

THE COMMITTEE ON DEVELOPMENT AND PLANNING met on October 18, 2007 to review a Special Land Use Permit for a Telecommunications Tower, SLU-2-2007, for property located at 3215 W. Mt. Hope Avenue and concerns were raised about the public safety impact upon the strictly residential area, the height of the proposed cell tower, and the industrial appearance inconsistent with the surrounding area.

The Committee recommends that a Committee comprised of representatives of the City Council, Administration, Telecommunications Industry, and community is established to create a comprehensive plan for the location of cell towers.

October 19, 2007

Signed: Brian Jeffries, Chairperson

Sandy Allen, Vice Chairperson

Kathie Dunbar, Member

By Councilmember Jeffries

To receive this Committee Report

Motion Carried

ORDINANCES FOR INTRODUCTION

INTRODUCTION OF ORDINANCES

The following ordinance of the City of Lansing, Michigan, providing that the Code of Ordinances be amended by providing for the rezoning of property located in the City of Lansing, Michigan, and for the revision of the district maps adopted by Section 1246.02 of the Code for property located at:

Z-7-2007, 1030 S. Holmes Street, from "B" Residential Office District to "D-1" Professional Office District

was introduced by the Committee on Development & Planning, read a first and second time by its title and referred to the Committee on Development and Planning.

RESOLUTION#427

BY THE COMMITTEE ON DEVELOPMENT & PLANNING
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

Resolved by the City Council of the City of Lansing that a public hearing be set for Monday, November 19, 2007, at 7 p.m. in City Council Chambers, Tenth Floor, Lansing City Hall, 124 West Michigan Avenue, Lansing, Michigan, for the purpose of approving and/or opposing the Ordinance for rezoning:

Z-7-2007, 1030 S. Holmes Street, from "B" Residential Office District to "D-1" Professional Office District

By Councilmember Jeffries

Motion Carried

ORDINANCES FOR PASSAGE

There were no Ordinances for Passage

REPORTS FROM CITY OFFICERS, BOARDS, AND COMMISSIONS; COMMUNICATIONS AND PETITIONS; AND OTHER CITY RELATED MATTERS

By Councilmember Jeffries that all items be considered as being read in full and that President Leeman make the appropriate referrals

Motion Carried

• Reports from City Officers, Board and Commissions:

- a. Letter from the City Clerk submitting minutes of Boards and Authorities placed on file in the City Clerk's Office

RECEIVED AND PLACED ON FILE

- b. Letters from the Mayor re:

- i. ACT-12-07; Flowage Easement for Sound Wall Project, Planning Board recommendations regarding a request filed by Michigan Department of Transportation for a flowage easement for sound wall drainage and access across a portion of Outlot A, located in the 1200 block of N. Homer St.

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

- ii. Application for Industrial Facilities Tax (IFT) Exemption Certificate filed by Five After LLC, for property located at 2320 Grand River Ave.

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

• Communications and Petitions, and Other City Related Matters:

- a. Letter from Marathon Petroleum Company, LLC in response to Eastside Neighborhood Organization's concerns with rezoning of the Speedway located at 115 N. Clemens Ave.

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING AND REFERRED TO THE PLANNING AND DEVELOPMENT DEPARTMENT

- b. Request for recognition of nonprofit status filed by David Beatty, Executive Director of Addiction Relief & Supported Recovery, Inc. located at 2600 Forest Rd.

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

- c. Community Funding Reporting Statement filed by Sagamore Hill Neighborhood Association for their Summer Family Picnic held August 15, 2007

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

- d. Letter from Gerald Heskitt of 3113 Tecumseh Ave. in opposition to a property tax increase to fund 10 new police officers

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

- e. Letter from Mary Elizabeth Low of 4646 Ottawa Dr., Okemos, MI requesting traffic calming on Teel Ave. at Riley St.

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY AND REFERRED TO THE TRANSPORTATION DEPARTMENT AND REFERRED TO THE TRAFFIC BOARD

- f. Letter from Fred Williams of 350 E. Gier St. requesting the issuance of orders for Make Safe or Demolish to the property owners of a building on E. Kalamazoo St.

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY AND REFERRED TO THE CODE COMPLIANCE OFFICE

- g. Letter from Wallace R. Haley of Haley Law Firm, Brighton, MI on behalf of T-Mobile in support of SLU-2-2007; 3215 W. Mt. Hope Ave., Special Land Use Permit to allow for a Telecommunications Tower

*SUSPENSION ITEM-REFERRED TO THE CITY ATTORNEY

- h. Petition containing Eighty-Two (82) signatures submitted by Ted and Jean Boettcher of 320 W. Northrup St. in opposition to Public Improvements on Northrup St.

*SUSPENSION ITEM-REFERRED TO THE COMMITTEE ON PUBLIC SERVICES AND REFERRED TO THE PUBLIC SERVICE DEPARTMENT

- i. Letter from Jack Alexander of 734 Vance St. regarding proposed developments in downtown Lansing

*SUSPENSION ITEM-REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

MOTION OF EXCUSED ABSENCE

By Councilmember Wood

To excuse Councilmember Quinney from tonight's proceedings

Motion Carried

REMARKS BY COUNCILMEMBERS

Councilmember Kaltenbach asked City Clerk Swope what the process is for items being placed on the agenda when they are addressed to Councilmembers.

Councilmember Dunbar spoke about the petition for Northrup St. She said that there was public hearing in the community on this issue on October 17. She said there is no plan for Northrup St. at this time and they just were out there to see what the concerns are from the residents. She addressed concerns from citizens about the council proprietries.

City Clerk Swope said that items addressed to Councilmembers are

brought to the Clerk's office by the Council staff and stated that any additional questions about it should be directed to them. He reminded everyone about the upcoming election and encouraged everyone to get out and vote.

Councilmember Matt asked Mr. Ambrose about how long construction will continue at Waverly Road.

President Leeman thanked everyone for all the time and effort in completed road projects in the City.

**REMARKS BY THE MAYOR
OR EXECUTIVE ASSISTANT**

Jerry Ambrose, Executive Assistant to the Mayor, thanked Council for their support on several agenda items. He thanked Councilmember Dunbar for the detailed explanation on the Northrup St concerns. He said that Waverly Road should be closed for about another week because crews ran into a sewer problem that is delaying the completion.

ADJOURNED TIME 10:12 P.M.

CHRIS SWOPE, CITY CLERK



**OFFICIAL PROCEEDINGS OF
THE CITY COUNCIL
CITY OF LANSING
PROCEEDINGS OF OCTOBER 29, 2007**

City Council Chambers
Lansing, Michigan

The City Council of the City of Lansing met in regular session and was called to order at 7:00 p.m. by President Leeman.

PRESENT: Councilmembers Dunbar, Jeffries, Kaltenbach, Leeman, Matt, Quinney, Wood

ABSENT: Councilmember Allen

The Council observed a moment of Meditation followed by the Pledge of Allegiance led by President Leeman

APPROVAL OF MINUTES

By Councilmember Jeffries

To approve the printed Council Proceedings of October 15, 2007

Motion carried

CONSIDERATION OF LATE ITEMS

By Vice President Jeffries

To suspend City Council Rule #11 to allow for Consideration of Late Items

Motion carried

The following items were added to the agenda:

1. From Councilmember Jeffries; Letter from the Mayor re: Setting a Public Hearing for November 26, 2007 in consideration of the proposed sale of the Parking Lot 18 property in the 200 block of S. Grand Ave.
2. From Councilmember Jeffries; Letter from the Mayor re: Setting a Public Hearing for November 26, 2007 in consideration of the proposed sale of the South Grand Parking Ramp in the 100 and 200 blocks of S. Grand Ave.
3. From Councilmember Jeffries; Letter from the Mayor re: Appointment of Charles Mickens to the Lansing Entertainment and Public Facilities Authority for an At-Large Term to Expire June 30, 2009
4. From Councilmember Jeffries; Letter from the Mayor re: City Club Renaissance Zone
5. From Councilmember Wood; Confirmation of Appointment; Edward Benson to the Police and Fire Retirement Board of Trustees for a Term to Expire June 30, 2010
6. From Councilmember Wood; Letter from Debra Alexander, Assistant Executive Director of Capital Area Transportation Authority regarding IFT-02-07; 2320 N. Grand River Ave., Application for an Industrial Facilities Tax Exemption Certificate filed by Five After LLC

**COUNCILMEMBERS' COMMENTS
AND CITY CLERK'S ANNOUNCEMENTS:**

President Leeman stated that Tommy Malvetis could not be here tonight for a Special Ceremony and will be celebrating his birthday on Halloween at the Unicorn Tavern. He said that he will be making an appearance there to present Tommy with his tribute.

Councilmember Quinney announced that the Uplift Our Youth Foundation will be presenting their 3rd Annual Grand Award and fundraiser dinner.

Councilmember Wood announced the Northtown Candidate Forum and the Genesee Neighborhood Association meeting.

Councilmember Matt congratulated the Lansing Police Department for a great Neighborhood Watch meeting. He thanked the Public Service Department for a great job on Haag Road. He said there are a number of events taking place for the Prevention of Violence Against Women.

Councilmember Dunbar announced that the Liederkranz Club is hosting a Christmas Bazaar. She congratulated the Sagamore Hill Neighborhood Association for a great job on their Halloween Parade event this past weekend.

City Clerk Swope announced that the election is just 1 week away. He said quite a lot of people who have been issued an absentee ballot that have not returned them. He said there is still time to get an absentee ballot. He said that the City Clerk's Office here at City Hall will be open on Saturday, November 3 for voters who need to vote by absentee ballot. He spoke about the photo ID requirement. He spoke about the AutoMark voting equipment for voters with disabilities. He said that the changes to the voting locations are being aired on the City TV Channel.

SPEAKER REGISTRATION FOR PUBLIC COMMENT

(Clerk Swope announced that the public comment registration form(s) for those intending to address Council on legislative or City government matters will be collected and that only those persons who have fully completed the form(s) will be permitted to speak.)

MAYOR'S COMMENTS

Jerry Ambrose, Executive Assistant to the Mayor, stated that City Attorney, Brigham Smith is in Nashville, Tennessee, where he is being honored as the Young Public Lawyer of the Year by the International Municipal Lawyers Association. Mr. Ambrose announced that next Saturday, November 3, 2007, is Public Safety Career Day in Lansing. This event showcases exciting career opportunities in the Lansing Police and Fire Departments, and includes other fun activities for families and youth from 2:30 p.m. until 6 p.m. at the Lansing Police Department South Precinct, located at 3400 S. Cedar Street. He spoke about several items on tonight's agenda, including the Industrial Facilities Tax Exemption Certificate filed by Five After LLC, the OPRA District Application filed by Zander Management for property located at 319 Clinton Street in Old Town, the Neighborhood Enterprise Zone Certificate for property located at 203 and 205 South Washington Square, and the OPRA District Application filed by Spartan Internet Consultants for the former Holmes Street School. He spoke on late item additions to the agenda

regarding a plan to build a 12 to 20 story high-rise on the site of the old City Club of Lansing, adjacent to the city's South Grand Parking Ramp and a resolution to create a Renaissance Zone for the property.

SHOW CAUSE HEARINGS

- Comment on Scheduled Show Cause Hearings:

There were no Show Cause Hearings

PUBLIC COMMENT ON LEGISLATIVE MATTERS

- Public Comment on Legislative Matters:

Legislative Matters included the following public hearings:

1. In consideration of IFT-02-07; 2320 N. Grand River Ave., Application for an Industrial Facilities Tax Exemption Certificate filed by Five After LLC

Vice President Jeffries gave a brief overview on the public hearing.

Steve Goble of 10231 W. Chadwick Rd., Eagle, MI spoke in support of the request for the tax exemption for Five After.

John Pollard of 1718 Blair St. spoke in opposition to the tax exemption for Five After.

Darnell E. Oldham Sr. of 3815 Berwick Dr spoke in opposition to the tax exemption for Five After.

Dru Vinson of 606 S. Fairview Ave. spoke in opposition to the tax exemption for Five After.

Don Dean of 1321 E. North St. spoke about concerns that he has with the proposed amendment to the Ordinance on Special Assessments. He spoke in opposition to the number of years for the tax exemption for Five After.

REFERRAL OF PUBLIC HEARINGS

1. In consideration of IFT-02-07; 2320 N. Grand River Ave., Application for an Industrial Facilities Tax Exemption Certificate filed by Five After LLC

City Clerk Swope made the Late Item letter from CATA part of the Public Hearing record

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

PUBLIC COMMENT ON CITY GOVERNMENT RELATED MATTERS:

Melissa Dey Hasbrook of 335 N. Magnolia Ave. spoke about concerns with the safety of the residents in the City.

Sue Eareckson of 1403 Indiana Ave spoke about the Northtown Neighborhood Association candidate forum.

Frank S. Curtis X of 1137 West Allegan St. spoke about various city matters.

Dru Vinson of 606 S. Fairview Ave. spoke about the upcoming City election. He also spoke about City Council's behavior towards speakers.

Bob Gray of 422 Dadson Dr. spoke about various city matters.

Anne Hodges of 203 E. Reasoner St. spoke about issues with the Code Compliance Department.

Jessica Narodowiec of 130 E. Reasoner St. spoke about concerns that she has with the Code Compliance Department. She also spoke about alleged problems that she is having with a neighbor.

John Pollard of 1718 Blair St. spoke about city matters.

Darnell E. Oldham Sr. of 3815 Berwick spoke about city matters.

William Hubbell of 3916 Wedgewood Dr. spoke about some streets that have been repaired in the City.

Don Dean of 1321 E. North St spoke about various city matters.

Willy Williams of P O Box 11042 spoke about various city matters.

Charlene Decker of 2711 Pleasant Grove Rd. spoke about various city matters.

LEGISLATIVE MATTERS

RESOLUTIONS

RESOLUTION#428

BY THE COUNCIL MEMBER SANDY ALLEN
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Lansing Code Compliance Officer has declared a certain structure (dwelling) at **1120 N. Walnut Parcel #3301.01.09.329.012 and Legal Description: Lot 6 & N 7 Ft Lot 7 Block 1 Sophie S Turners Sub Rec L 4 P 39** to be an unsafe and dangerous building and requested the property owner be ordered to demolish or otherwise make safe the structure; and

WHEREAS, The Code Compliance Officer red tagged the said structure on **June 26, 2007**, and requested the property owner be ordered to demolish or otherwise make safe the structure; and

WHEREAS, on **August 23, 2007**, the Lansing Demolition Board held a special meeting to consider and make a recommendation on whether to declare the structure a dangerous building, as defined in the Housing Law of Michigan (MCLA 125.539) and the Lansing Housing and Premises Code (1460.09) to order the property owner to make safe or demolish the structure; and

WHEREAS, the Code Compliance Office has determined that compliance with the order of the Lansing Demolition Hearing Board officer has not occurred; and

WHEREAS, the Housing Law of Michigan and the Housing and Premises Code require that a hearing be conducted to give the property owner an opportunity to show cause why a dangerous structure should not be demolished or otherwise made safe; and

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council hereby reschedules a show cause hearing for Monday, November 26, 2007, at 7:00 p.m. in the Lansing City Council Chambers, 10th Floor City Hall, 124 W. Michigan, Lansing, Michigan in consideration of the finding and order of the Lansing Demolition Hearing Board Officer regarding the structure at 1120 N. Walnut; to give the owner, or the owner's agent, the opportunity to appear and show cause why the building should not be demolished or otherwise made safe; and to approve, disapprove, or modify the order of the hearing officer to demolish or make safe the subject structure.

BE IT FINALLY RESOLVED that the Lansing City Council requests that the Manager of Code Compliance notify the owner of said

property of the opportunity to appear and present testimony at the hearing, as required by law.

By Councilmember Kaltenbach

Motion Carried

RESOLUTION#429

BY THE COUNCILMEMBER SANDY ALLEN
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Lansing Code Compliance Officer has declared a certain structure (dwelling) at **835 May Parcel #3301.01.10.351.061 and Legal Description: Lot 4 Assessors Plat No 23 & E ½ Lot 12 Block 1 Prines Sub Rec L 51 P 440** to be an unsafe and dangerous building and requested the property owner be ordered to demolish or otherwise make safe the structure; and

WHEREAS, The Code Compliance Officer red tagged the said structure on **March 14, 2006**, and requested the property owner be ordered to demolish or otherwise make safe the structure; and

WHEREAS, on **August 23, 2007**, the Lansing Demolition Board held a special meeting to consider and make a recommendation on whether to declare the structure a dangerous building, as defined in the Housing Law of Michigan (MCLA 125.539) and the Lansing Housing and Premises Code (1460.09) to order the property owner to make safe or demolish the structure; and

WHEREAS, the Code Compliance Office has determined that compliance with the order of the Lansing Demolition Hearing Board officer has not occurred; and

WHEREAS, the Housing Law of Michigan and the Housing and Premises Code require that a hearing be conducted to give the property owner an opportunity to show cause why a dangerous structure should not be demolished or otherwise made safe; and

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council hereby reschedules a show cause hearing for Monday, November 26, 2007, at 7:00 p.m. in the Lansing City Council Chambers, 10th Floor City Hall, 124 W. Michigan, Lansing, Michigan in consideration of the finding and order of the Lansing Demolition Hearing Board Officer regarding the structure at 835 May; to give the owner, or the owner's agent, the opportunity to appear and show cause why the building should not be demolished or otherwise made safe; and to approve, disapprove, or modify the order of the hearing officer to demolish or make safe the subject structure.

BE IT FINALLY RESOLVED that the Lansing City Council requests that the Manager of Code Compliance notify the owner of said property of the opportunity to appear and present testimony at the hearing, as required by law.

By Councilmember Kaltenbach

Motion Carried

RESOLUTION#430

BY COUNCILMEMBER BRIAN JEFFRIES
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

Sale of Parking Lot 18, 200 Block of S. Grand Avenue

WHEREAS, the City has received a comprehensive development agreement entitled Agreement to Sell Between the City of Lansing and Grand River Tower LLC Regarding the Surface Parking Lot Commonly Referred to as Lot 18 Located in the One Hundred and Two Hundred Block of South Grand Avenue (the Purchase Agreement), for the sale and redevelopment with other property of the 200 block of South Grand Avenue into a building of not less than twelve (12) stories above grade

for approximately 80 residential units above retail/office/commercial use; and

WHEREAS, in accordance with the Lansing City Charter, Article 8, Chapter 4, and Section 208.08 of the Lansing Code of Ordinances, the offer must be placed on file in the Office of the City Clerk for a thirty (30) day period, and a Public Hearing on the proposed sale of the property held before the City Council subsequent to that time; and

WHEREAS, the proposed Purchase Agreement was placed on file in the City Clerk's Office on October 19, 2007;

NOW, THEREFORE, BE IT RESOLVED, that a Public Hearing be held on Monday, November 26, 2007, at 7:00 p.m. in the City Council Chambers, Tenth Floor, City Hall, 124 West Michigan Avenue, Lansing, Michigan, to receive public comment on and to consider the proposed sale of the parking Lot 18 property in the 200 block of South Grand Avenue, Lansing, Michigan, legally described in Schedule A to the Purchase Agreement for the property, which has been signed by Grand River Tower LLC and placed on file with the City Clerk on October 19, 2007.

By Councilmember Jeffries

Motion Carried

RESOLUTION#431

BY COUNCILMEMBER BRIAN JEFFRIES
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

Sale of the South Grand Parking Ramp, 100 and 200 Blocks of S. Grand Avenue

WHEREAS, the City has received a comprehensive development agreement entitled Agreement to Sell Between the City of Lansing and Grand Avenue Parking LLC Regarding the Sale of the South Grand Avenue Parking Ramp Located in the One Hundred and Two Hundred Block of South Grand Avenue (the Purchase Agreement), for the sale and redevelopment of the South Grand parking Ramp; and

WHEREAS, in accordance with the Lansing City Charter, Article 8, Chapter 4, and Section 208.08 of the Lansing Code of Ordinances, the offer must be placed on file in the Office of the City Clerk for a thirty (30) day period, and a Public Hearing on the proposed sale of the property held before the City Council subsequent to that time; and

WHEREAS, the proposed Purchase Agreement was placed on file in the City Clerk's Office on October 23, 2007;

NOW, THEREFORE, BE IT RESOLVED, that a Public Hearing be held on Monday, November 26, 2007, at 7:00 p.m. in the City Council Chambers, Tenth Floor, City Hall, 124 West Michigan Avenue, Lansing, Michigan, to receive public comment on and to consider the proposed sale of the South Grand Parking Ramp in the 100 and 200 blocks of South Grand Avenue, Lansing, Michigan, legally described in Schedule B to the Purchase Agreement for the property, which has been signed by Grand Avenue Parking LLC and placed on file with the City Clerk on October 23, 2007.

By Councilmember Jeffries

Motion Carried

RESOLUTION#432

BY COUNCILMEMBER HAROLD LEEMAN
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Tom Malvetis was born on Halloween, October 31, 1922 in Haverhill, Massachusetts; and

WHEREAS, Tom is a World War II Veteran of the United States Army as well as a soldier who served in Germany after the War; and

WHEREAS, he married a Lansing native, Constance Sinadinos, in 1956; and

WHEREAS, Tom worked in the men's clothing retail business, including J.W. Knapp Co. in downtown Lansing, until it closed in 1972; and

WHEREAS, Tom's interests led him into the restaurant and bar business where he began work, with his brothers-in-law, George and Paul Sinadinos, at the Knight Cap and later the Airport Tavern; and

WHEREAS, his passion for the restaurant and bar business became his focus, consequently, in November 1978, Tom purchased the Shamrock Bar, now known as the Unicorn Tavern in Lansing's "Old Town", where he brought to light his talents and became a fixture, bringing stability to a formerly "rough" establishment; and

WHEREAS, he has proven to be a generous, caring, and devoted person, with close community relations in Lansing's North End; and

WHEREAS, through the operation of his business in Old Town and his generally gregarious nature, Tom has gathered a legion of friends amongst the residents of the City of Lansing;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, wishes to extend a warm "thank you" to Tom Malvetis for his contributions both as a Lansing business owner and a long time resident. We wish you a very happy 85th birthday!

By Councilmember Leeman

To accept a substitute resolution for the one originally placed in the packet

Motion Carried

By Councilmember Leeman

To place an affirmative roll on the substitute resolution

Motion Carried

City Clerk Swoperead the following Resolution:

RESOLUTION#433

BY COUNCILMEMBER DERRICK QUINNEY
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Reverend Lester D. Stone, a native of Nashville, Tennessee, was passionate in heart and soul about serving his community; and

WHEREAS, Reverend Stone received his license to preach the Gospel in 1969 and was ordained in 1970; and

WHEREAS, he has written for the Sunday School Publishing Board of the National Baptist Convention and the National Baptist Publishing Board and has published articles in the Lansing State Journal and the Intergroup Journal of Human Relations; and

WHEREAS, the Reverend is the founder and Moderator of the Capital City District Missionary Baptist Association, Inc; and

WHEREAS, Reverend Stone led the March for Justice; a civil rights group which contributed to the election of the first Black Ingham County Prosecuting Attorney, prompted the Mayor to develop a 13 Point Plan to improve Police/Community Relations, was instrumental in establishing the Annual Police/Community Relations Conference sponsored by the

City of Lansing, and contributed to the hiring of the first black police chief in Lansing; and

WHEREAS, Reverend Stone has served on the Board of Directors of the Black Child and Family Institute, the Single Parent Institute, Camp Highfields, and the Advisory Committee of First of America Bank (National City), and has been a life time member of the NAACP and serves on its Education Committee; and

WHEREAS, On Sunday, June 15, 2003, Reverend Stone led Friendship Baptist Church from 925 W. Main St. to 2912 Pleasant Grove Rd. where they began worshipping in their new multi-million dollar church home built under his leadership; and

WHEREAS, Reverend Stone was presented the Outstanding Social and Political Leadership Award by the Michigan Chapter of the Southern Christian Leadership Conference, the recipient of the Frederick Douglas Award of Negro Business and Professional Women, and the Pastor of the Year Award of the United Sisterhood of the Wolverine State Baptist Convention; and

WHEREAS, Reverend Stone is currently in the process of publishing a book entitled "Getting Closer to God and Christ";

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, congratulates Reverend Lester D. Stone on his 25th Pastoral Anniversary at Friendship Baptist Church, "A Church of Love that helps people," as well as the many years of outstanding service to the community, his personal and professional accomplishments, and his community activism;

BE IT FURTHER RESOLVED that the Lansing City Council extends to Reverend Stone a warm "thank you" for your continued dedication to serving the City of Lansing. We wish you continued success in future years!

By Councilmember Quinney

Motion Carried

City Clerk Swoperead Resolution #432

RESOLUTION#434

BY THE COMMITTEE ON GENERAL SERVICES
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Nik Cascarilla sought to eliminate the special assessment of \$1,727.00 and all associated penalties and interest on the property tax bill involving a trash violation placed on the property at 501 S. Pennsylvania; and

WHEREAS, the General Services Committee met on October 22, 2007, considered the documents submitted and denied the claim in the amount of \$1,727.00;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, denies the claim of Nik Cascarilla on the special assessment involving a trash violation placed on the property at 501 S. Pennsylvania in the amount of \$1,727.00;

BE IT FURTHER RESOLVED that the City Attorney shall take the appropriate steps to process this denial of claim.

By Councilmember Kaltenbach

Motion Carried

RESOLUTION#435

BY THE COMMITTEE ON GENERAL SERVICES
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Troy Clarke sought to eliminate the special assessment of \$246.96 and all associated penalties and interest on the property tax bill involving grass and weeds violation placed on the property at 1213 Climax; and

WHEREAS, the General Services Committee met on October 22, 2007, considered the documents submitted and granted the claim on the special assessment in the amount of \$246.96;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, grants the claim of Troy Clarke on a special assessment involving a trash violation placed on the property at 1213 Climax in the amount of \$246.96;

BE IT FURTHER RESOLVED that the City Attorney shall take the appropriate steps to process this claim.

By Councilmember Kaltenbach

To accept a substitute resolution for the one originally placed in the packet

Motion Carried

By Councilmember Kaltenbach

To place an affirmative roll on the substitute resolution

Motion Carried

RESOLUTION#436

BY THE COMMITTEE ON GENERAL SERVICES
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Sheryl Corner sought to eliminate the special assessment of \$1,287.28 and all associated penalties and interest on the property tax bill involving a trash and debris violation placed on the property at 1616 Beal Ave.; and

WHEREAS, the Committee on General Services met on October 22, 2007, considered the documents and testimony presented and denied the claim but offered a settlement of her claim resulting in a reduction of \$643.64 of the total \$1,287.28 special assessment imposed;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, denies the claim of Sheryl Corner on a special assessment involving a trash and debris violation but offers a settlement for a reduction of the special assessment in the amount of \$643.64 of the \$1,287.28 placed on the property at 1616 Beal Ave. so that \$643.64 shall be the amount of the special assessment imposed if Ms. Corner accepts the settlement offer;

BE IT FURTHER RESOLVED that the City Attorney shall take the appropriate steps to process this settlement offer.

BE IT FINALLY RESOLVED that if Ms. Corner refuses the settlement offer the special assessment of \$1,287.28 remains in full force and effect.

By Councilmember Kaltenbach

To place an affirmative roll on the resolution

By Councilmember Matt

To amend this Resolution by granting the full amount of the claim

Motion Withdrawn

The question being the motion to place an affirmative roll on the resolution

Motion Carried (Councilmembers Kaltenbach and Quinney voting Nay)

RESOLUTION#437

BY THE COMMITTEE ON WAYS & MEANS
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

That the following FY 2008 transfers be approved:

Police Administration

\$ 779.00 from Administration Donations 101.0.675012.0
\$ 779.00 to Administration Donations 101.343201.741880.0

(To appropriate Ruth Hallman donations revenue).

Police Administration

\$ 779.00 from Administration Donations 101.343201.741880.0
\$ 779.00 to Admin Problem Solving Overtime
101.343201.708103.0

(To provide for expenditure of Ruth Hallman donated funds to the new Problem Solving Overtime account).

By Councilmember Wood

To recuse Councilmember Wood for possible Conflict of Interest

Motion Carried (Councilmember Jeffries voting Nay)

By Councilmember Wood

To place an affirmative role on the resolution

Motion Carried (Councilmember Wood Abstaining)

RESOLUTION#438

BY THE COMMITTEE ON WAYS AND MEANS
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Mayor made the appointment of Edward Benson of 214 Cloverleaf Dr., Lansing, Michigan 48910 to the seat designated for a non-member citizen to the Police and Fire Retirement Board of Trustees for a term to expire June 30, 2010; and

WHEREAS, the Committee on Ways and Means met on October 29, 2007, and supported the Mayor's appointment of Edward Benson to the seat designated for a non-member citizen to the Police and Fire Retirement Board of Trustees;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, confirms the appointment of Edward Benson to the seat designated for a non-member citizen of the Police and Fire Retirement Board of Trustees, for a term to expire June 30, 2010.

By Councilmember Wood

Motion Carried

RESOLUTION#439

BY THE COMMITTEE OF THE WHOLE
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING
Five After LLC

WHEREAS, the Lansing City Council has previously created Lansing Industrial Development District (IDD-05-2006) on November 20th, 2006 on the property located at 2320 N. Grand River Ave. in the City of Lansing, Michigan.

WHEREAS, the City of Lansing received and filed an application from Five After LLC, requesting an Industrial Facilities Exemption Certificate (IFT-02-07) for real and personal property investments pursuant to Public Act 198 of 1974, as amended; and

WHEREAS, a public hearing was held October 29th, 2007, on the Industrial Facilities Exemption Certificate (IFT-02-07) filed by Five After LLC, at which all owners of real and personal property within IDD-05-2006, other City residents and taxpayers, the assessor and the representatives of the legislative body of each taxing unit that levies ad valorem taxes for the IDD-05-2006 area had the opportunity to appear and be heard; and

WHEREAS, Five After LLC has substantially met all of the requirements for said Exemption Certificate as required by Public Act 198 and by the policies of this Council;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council finds and determines that the granting of this Industrial Facilities Exemption Certificate for personal property under Public Act 198, shall not have the effect of substantially impeding the operation of the City of Lansing, nor impairing the financial soundness of any taxing unit which levies ad valorem taxes in the City of Lansing.

BE IT FURTHER RESOLVED that the Lansing City Council hereby approves the application of Five After LLC, for an Industrial Facilities Exemption Certificate (IFT-02-07), for real and personal property investments in the area of IDD-05-2006 legally described as:

LOTS 20 & 21, Assessor's Plat No. 57, according to the plat thereof recorded in Liber 29 of Plats, Page 41,42,43, and 44, Ingham County Records

for a period of (12) years, after project completion, provided that th is resolution shall be effective upon the execution of a written Industrial Facilities Exemption Certificate Agreement between Five After, LLC and the City of Lansing, in the form as filed with the City Clerk.

BE IT FINALLY RESOLVED that the Mayor, on behalf of the City, is authorized to execute the afore stated agreement, subject to prior approval thereof as to form by the City Attorney.

By Councilmember Jeffries

Motion Carried

REPORTS FROM COUNCIL COMMITTEES

There were no Committee Reports

ORDINANCES FOR INTRODUCTION

INTRODUCTION OF ORDINANCE AMEND CHAPTER 10, SECTION 1026.07

By Councilmember Wood, Chair of the Committee on Ways and Means

That:

An Ordinance of the City of Lansing to amend Chapter 10, Section 1026.07 of the Lansing Codified Ordinances by providing that interest on installment payments for Special Assessments shall be determined by Resolution of City Council, for a period of time as recommended by the Director of Finance was introduced by Councilmember Wood, read a first and second time by its title and referred to the Committee on Ways and Means

RESOLUTION#440
RESOLUTION SETTING PUBLIC HEARING
By Councilmember Wood

RESOLVED BY THE CITY COUNCIL, CITY OF LANSING, that a public hearing be set for Monday, November 5, 2007 at 7:00 P.M. in the City Council Chambers, 10th Floor Lansing City Hall, 124 W. Michigan Ave., Lansing, MI for the purpose of considering an Ordinance of the City of Lansing to amend Chapter 10, Section 1026.07 of the Lansing Codified Ordinances by providing that interest on installment payments for Special Assessments shall be determined by Resolution of City Council, for a period of time as recommended by the Director of Finance

Interested Persons are invited to attend this Public Hearing

By Councilmember Wood

Motion Carried

ORDINANCES FOR PASSAGE

There were no Ordinances for Passage

REPORTS FROM CITY OFFICERS, BOARDS, AND COMMISSIONS; COMMUNICATIONS AND PETITIONS; AND OTHER CITY RELATED MATTERS

By Councilmember Jeffries that all items be considered as being read in full and that President Leeman make the appropriate referrals

Motion Carried

• Reports from City Officers, Board and Commissions:

a. Letters from the Mayor re:

- i. Transfer of Funds; State/Federal Programs, P.A. 302 to support training for the Police Department

REFERRED TO THE COMMITTEE ON WAYS AND MEANS AND INTERNAL AUDIT

- ii. Obsolete Property Rehabilitation Act (OPRA) District Application filed by Zander Management, for property located at 319 Clinton St.

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

- iii. Application for Neighborhood Enterprise (NEZ) Zone Certificate filed by API Bull on the Boulevard, LLC for property located at 203/205 S. Washington Sq.

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

- iv. Obsolete Property Rehabilitation Act (OPRA) District Application filed by Spartan Internet Consultants for property located at 1030 S. Holmes St.

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

- v. Grant Application; Parks and Recreation Department for Access to Recreation Grant

REFERRED TO THE COMMITTEE ON WAYS AND MEANS AND
INTERNAL AUDIT

- vi. Transfer of Funds; CDBG Public Improvement –
Capital Outlay/Construction & CDBG Counseling

REFERRED TO THE COMMITTEE ON WAYS AND MEANS AND
INTERNAL AUDIT

- vii. Appointment of Charles Mickens to the Lansing
Entertainment and Public Facilities Authority for an
At-Large Term to Expire June 30, 2009

*SUSPENSION ITEM-REFERRED TO THE COMMITTEE ON PUBLIC
SERVICES

- viii. City Club Renaissance Zone

*SUSPENSION ITEM-REFERRED TO THE COMMITTEE ON
DEVELOPMENT AND PLANNING

• Communications and Petitions and Other City Related Matters:

- a. Letter from Mark Brewer, Chair of the Michigan Democratic
Party, in support of a proposed prevailing wage, local
preference ordinance

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND
PLANNING

- b. Letter from Dr. Michael Murphy of Capital City African
American Cultural Association, Inc. requesting co-
sponsorship and support of the 8th Annual African American
Parade and Family Festival held in August 2007.

REFERRED TO THE COMMITTEE ON GENERAL SERVICES AND
REFERRED TO THE MAYOR

- c. Letter from Comcast Cable providing notice of channel lineup
changes and additions effective November 28, 2007 and
installation rate changes effective January 1, 2008

RECEIVED AND PLACED ON FILE

- d. Letter from Jan Johnson, P.O. Box 80042, regarding street
parking permits

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY AND
REFERRED TO THE TRANSPORTATION DIVISION

- e. Letter from David L. Russell of 112 E. Claremore Dr.
regarding surveillance cameras in the City of Lansing

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY AND
REFERRED TO THE MAYOR

- f. Letter from Steven Munkvold of 300 E. Willard Ave. regarding
traffic controls

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY AND
REFERRED TO THE TRANSPORTATION DIVISION

MOTION OF EXCUSED ABSENCE

By Councilmember Wood

To excuse Councilmember Allen from tonight's proceedings

Motion Carried

REMARKS BY COUNCILMEMBERS

Councilmember Kaltenbach asked Jerry Ambrose to look into a problem with a construction crew working on Lafayette St.

Councilmember Dunbar stated that it is a code violation to have dogs in the City Parks other than the designated dog park. She asked residents to please make sure that if they are going to take dogs for a walk in a City Park to please take with them a bag or something to clean up after the animals.

Councilmember Wood spoke about comments that have been made recently about her allegedly not supporting the chess club.

Councilmember Matt asked Councilmember Dunbar if the public is invited to attend the Public Service Committee meeting.

Councilmember Dunbar stated that the meeting at Benjamin Davis Park is open to the public and notices have gone out.

Councilmember Quinney gave his opinion on a question that he has been asked about the conduct at Council meetings. He stated that the conduct of a speaker tonight was uncalled for and out of line.

City Clerk Swope stated that it was an honor to have read the tribute resolution for Rev. Stone this evening. He said that he had worked on some of the issues mentioned in the resolution when he served on the Police/Community Relations Board. He corrected information given by a speaker's regarding the CATA Millage proposal.

Councilmember Quinney asked Jerry Ambrose to see what he can do to help the owner of the shoe store on Washington Sq. and Kalamazoo St. He said the gentleman's business has been hurt because of the construction. When the noise waiver was issued to work on weekends, the company decided to not work on a Saturday afternoon when the business was closed but instead decided to work during the day when the business was open.

**REMARKS BY THE MAYOR
OR EXECUTIVE ASSISTANT**

Jerry Ambrose, Executive Assistant to the Mayor, said that the noise waivers are being looked at for changes. He said that Waverly Rd. and Oakland Ave. should be open by the end of the week. He said that he would look into the Lafayette St issue. He thanked Council for supporting items on the agenda. He said that trick-or-treating will be from 6:00 p.m. to 8:00 p.m. on Wednesday.

ADJOURNED TIME 9:15 P.M.

CHRIS SWOPE, CITY CLERK



**OFFICIAL PROCEEDINGS OF
THE CITY COUNCIL
CITY OF LANSING
PROCEEDINGS OF NOVEMBER 5, 2007**

City Council Chambers
Lansing, Michigan

The City Council of the City of Lansing met in regular session and was called to order at 7:00 p.m. by President Leeman.

PRESENT: Councilmembers Allen, Dunbar, Jeffries, Kaltenbach, Leeman, Matt, Quinney, Wood

ABSENT: None

The Council observed a moment of Meditation followed by the Pledge of Allegiance led by President Leeman

APPROVAL OF MINUTES

By Councilmember Jeffries

To approve the printed Council Proceedings of October 22 and 29, 2007

Motion carried

CONSIDERATION OF LATE ITEMS

By Vice President Jeffries

To suspend City Council Rule #11 to allow for Consideration of Late Items

Motion carried

The following items were added to the agenda:

1. From Councilmember Allen; Traffic calming on Lindbergh Dr. at Pershing Ave.
2. From Councilmember Dunbar; Grant Application; Michigan Transportation Economic Development Fund

SPECIAL CEREMONIES

- Special Ceremonies

1. Presentation; Mayor's Hometown Hero Award to Alfreda Schmidt

Mayor Bernero presented Alfreda Schmidt with the Hometown Hero Award. He said Alfreda has been a huge part in advocating for Lansing's youth. He said Alfreda has done so much for Lansing by serving on many boards and commissions and that Alfreda was instrumental in helping put together the first indoor Veterans Day event. He thanked Alfreda for all her hard work to help make Lansing a better place.

Alfreda Schmidt thanked the Mayor for this honor that she never expected to receive. She invited everyone to come out on Saturday to Eastern High School's Don Johnson Field House for the Veterans Day Celebration.

Councilmember Allen said that it is an honor to know Alfreda who is one

incredible woman.

Jack Gunther, veteran of the U.S. Marines, thanked the Mayor for supporting the Veterans Day Celebration. He gave a brief overview of what events will be taking place at the celebration.

Terry Cortiz, of the Disabled American Veterans, asked that everyone come out and show support for the veterans. He thanked Alfreda for all that she has done for veterans.

Lino Pretto stated that he hopes to see everyone on Saturday and thanked Alfreda for everything that she has done.

Mary Ettenger said that she too hopes to see everyone on Saturday and thanked the Mayor and City Council for their support.

Mayor Bernero said that he hopes everyone comes out on Saturday from 10:00 a.m. to 12:00 noon, and that there are a lot of activities planned.

COUNCILMEMBERS' COMMENTS AND CITY CLERK'S ANNOUNCEMENTS:

Councilmember Quinney announced a Foreclosure Prevention Workshop and the 3rd Annual Fundraising event for "Uplift Our Youth Foundation."

Councilmember Wood announced the Eastside Neighborhood Association Monthly meeting and a safety meeting for "Violence Against Women."

Councilmember Allen announced a public meeting for the Master Plan for Francis Park and the Shalom Center for Justice and Peace meeting. She spoke about a Public Service meeting regarding a proposed Northrup St. construction project.

Councilmember Dunbar spoke about the proposed plan for Northrup St. She announced the Neighborhood Watch training program. She said that Everett High School is hosting a musical.

Councilmember Matt announced that the traffic signal at Pleasant Grove Rd. and Holmes Rd. will be changing this week. He spoke about the Hope Scholarship dinner.

Vice President Jeffries thanked St. Casimir Church for allowing the Fire Department to use the Community Center as a training location.

City Clerk Swope reminded everyone that next Monday, November 12, City Hall will be closed due to the observance of Veterans Day and there will not be a regular City Council Meeting. He stated that the next regular City Council meeting will be on Thursday, November 15 at 1:30 p.m. He thanked Zeta Phi Beta Sorority for asking him to speak on voter registration. He spoke about the number of Absentee Ballots that have been received in the Clerk's Office and said that anyone still needing to turn in a ballot has until 8:00 p.m. on Election Day to do so. He stated that they can be turned in to the City Clerk's Office at City Hall or at the Oakland Center located at 809 Center St. He spoke about the Photo ID requirement. He reminded everyone of the polling changes that took place earlier in the year.

SPEAKER REGISTRATION FOR PUBLIC COMMENT

(Clerk Swope announced that the public comment registration form(s)

for those intending to address Council on legislative or City government matters will be collected and that only those persons who have fully completed the form(s) will be permitted to speak.)

MAYOR'S COMMENTS

Jerry Ambrose, Executive Assistant to the Mayor, spoke about Public Safety Career Day which took place this past Saturday at the South Precinct. He spoke about last Saturday morning's tour of the historic Ottawa Street Power Station, which will soon be transformed into the Accident Fund's new national headquarters. He announced that this Saturday, November 10, the annual Veterans Day Tribute will take place from 10:00 a.m. until 12 noon at Lansing Eastern High School's Don Johnson Fieldhouse. He gave Special thanks to Lino Pretto, Commander of the Lansing Area Council of Veterans, and his lovely wife Kay for their assistance in bringing this tribute to the citizens of Lansing. He reminded everyone that tomorrow is Election Day and encouraged all citizens to get out and vote to keep the momentum going in Lansing.

SHOW CAUSE HEARINGS

• Comment on Scheduled Show Cause Hearings:

There were no Show Cause Hearings

PUBLIC COMMENT ON LEGISLATIVE MATTERS

• Public Comment on Legislative Matters:

Legislative Matters included the following public hearings:

1. In consideration of an Ordinance of the City of Lansing to amend Chapter 10, Section 1026.07 of the Lansing Codified Ordinances by providing that interest on installment payments for Special Assessments shall be determined by Resolution of City Council, for a period of time as recommended by the Director of Finance

Councilmember Wood gave a brief overview of the Public Hearing.

President Leeman stated that he was not feeling well this evening and that he was going to pass the gavel to Vice President Jeffries to conduct the rest of the meeting.

John Pollard of 1718 Blair St. spoke in support of the proposed changes to the ordinance for Special Assessments.

Darnell E. Oldham Sr. of 3815 Berwick Dr spoke in support of the proposed changes to the ordinance for Special Assessments.

Christine Timmon of 2519 Washington Ave. spoke in support of the proposed changes to the ordinance for Special Assessments.

REFERRAL OF PUBLIC HEARINGS

1. In consideration of an Ordinance of the City of Lansing to amend Chapter 10, Section 1026.07 of the Lansing Codified Ordinances by providing that interest on installment payments for Special Assessments shall be determined by Resolution of City Council, for a period of time as recommended by the Director of Finance

REFERRED TO THE COMMITTEE ON WAYS AND MEANS AND INTERNAL AUDIT

PUBLIC COMMENT ON CITY GOVERNMENT RELATED MATTERS:

Morris Glover of 409 W. Oakland Ave. stated concerns about parking and traffic in downtown and spoke of changes to the license fees.

Melissa Dey Hasbrook of 335 N. Magnolia Ave. spoke about safety concerns in her neighborhood.

David Lee Lambert of 1106 Walsh St. spoke about the City's website.

William Hubbell of 3916 Wedgewood Dr. spoke about the election.

Andrew Ybarra of 2008 Turner St. spoke about city codes and neighborhood concerns.

Lisa Alicea of 302 E. Grand River Ave. spoke about the election.

Frank S. Curtis X of 1137 West Allegan St. spoke about various city matters.

Winston Williams of 1801 W. Main St. stated the position of the NAACP on recent events at City Council meetings.

Richard Clement of 900 Long Blvd. spoke about the election.

Bob Gray of 422 Dadson Dr. spoke about various city matters.

Joel Wiese of 311 Strathmore Rd. spoke about Lansing City Market Development project.

Justin Sleight of 215 N. Capitol Ave. spoke about the Oliver Towers building.

Willie Hobbs 5017 S. Conners Ave. spoke about various city matters.

Darnell E. Oldham Sr. of 3815 Berwick Dr spoke about various city matters.

John Pollard of 1718 Blair St. spoke about various city matters.

Christine Timmon of 2519 Washington Ave. spoke about various city matters.

Dru Vinson of 606 S. Fairview Ave. spoke about various city matters.

Don Dean of 1321 E. North St. spoke about various city matters.

Willy Williams of P O Box 11042 spoke about various city matters and the election.

Charlene Decker of 2711 Pleasant Grove Rd. spoke about various city matters.

Nick Limber of 1321 W. Saginaw St. stated concerns with City Council procedures.

LEGISLATIVE MATTERS

RESOLUTIONS

RESOLUTION#441

BY THE COUNCILMEMBER SANDY ALLEN
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, as part of the Transportation and Parking Office's Neighborhood Study/Traffic Calming Program, the Transportation and Parking Office recommended the installation of raised intersections along Lindbergh Drive; and

WHEREAS, the Lansing City Council approved the installation of the raised intersections along Lindbergh Drive in 2002; and

WHEREAS, due to a lack of funding, the Transportation and Parking office was unable to construct the approved measures as planned; and

WHEREAS, the Transportation and Parking office has reviewed the approved traffic calming measures in neighborhoods that have not been fully completed to identify potential traffic calming measures that would provide a similar benefit at a reduced cost; and

WHEREAS, the Transportation and Parking office recommends replacing the proposed raised intersection s along Lindbergh Drive with one raised crosswalk on Lindbergh Drive at Pershing Avenue on the basis that the raised crosswalk will provide enhanced pedestrian safety and assist with vehicular speed reductions along the uncontrolled intersection approach; and

WHEREAS, the Mayor concurs with the recommendation of the Transportation and Parking Office;

NOW, THEREFORE, BE IT RESOLVED, that the Lansing City Council approves the installation of raised crosswalks on Lindbergh Drive at Pershing Avenue;

BE IT FURTHER RESOLVED, that the Transportation Engineer is, hereby, authorized to implement the raised crosswalk on Lindbergh Drive at Pershing Avenue, including all required traffic control orders as necessary;

BE IT FINALLY RESOLVED that the Committee on Public Safety and the Transportation and Parking Office will continue to monitor the implemented measures of the traffic calming plan.

By Councilmember Allen

Motion Carried

RESOLUTION#442

BY COUNCILMEMBER KATHIE DUNBAR
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Peckham Inc. is a private non-profit agency that creates job opportunities for persons with disabilities and other barriers to employment; and

WHEREAS, Peckham Inc. would like to expand its operations and remain in Lansing; and

WHEREAS, Peckham Inc. has chosen to expand an existing warehouse by adding up to 180,000 square feet of offices and manufacturing space, on Capital City Boulevard in Lansing, to grow their operations; and

WHEREAS, the project to expand the existing warehouse will retain 700 jobs and create an additional 200 jobs by expanding current operations in Lansing; and

WHEREAS, improvements to Capital City Boulevard are necessary for this project and include two curb cuts from the property to the roadway, construction of left turn lanes on Capitol City Boulevard for northbound traffic, A CATA bus turn out on Capitol City Boulevard, and resurfacing; and

WHEREAS, the Michigan Department of Transportation (MDOT) provides financial assistance in the form of Michigan Transportation Economic Development Fund (TEDF), Category A funding for roadway improvements necessary for economic development projects; and

WHEREAS, MDOT requires that the applicant be an Act 51 recipient governmental unit and that a resolution of support from the appropriate unit of government, per Public Act 231 of 1987, as amended, be included with the request for funding; and

WHEREAS, the City of Lansing is the lead applicant and Peckham Inc. and the Capital City Airport Authority are co-applicants for the TEDF, Category A grant application; and

WHEREAS, the project cost is estimated to be \$350,000, the grant request is for \$280,000, and the matching funds are estimated to be \$45,000 from Peckham Inc., \$20,000 from Capital City Airport Authority, and \$5,000 from City of Lansing;

NOW, THEREFORE, BE IT RESOLVED that the City of Lansing Public Service Department be authorized to apply for the TEDF, Category A funding for the Capital City Boulevard street improvements, with \$5,000 in matching funds to be committed from the Public Service Department as the City's match.

By Councilmember Dunbar

Motion Carried

RESOLUTION#443

BY COUNCILMEMBER WILLIAM MATT
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, William H. Gabel has been a loyal member of the Polish Falcons of America, Nest 652 in Lansing for 24 years; and

WHEREAS, the Polish Falcons of America is a fraternal benefit society and physical fitness organization whose many programs and activities aim to improve the physical, mental, and social condition of its members, young and old alike; and

WHEREAS, Mr. Gabel has tirelessly devoted his time and talent to his local group, chairing numerous district meetings and conventions and holding several positions within the Federated Polish Home; and

WHEREAS, Mr. Gabel was instrumental in the planning of various banquets and events at the Polish Home and both initiated and oversaw the Benefactor's Committee created to improve the 75 year old aging building; and

WHEREAS, Mr. Gabel spearheaded the group for the "Buy a Brick" program; the bricks laid in front of the entrance to the Polish Home are a testament to his ideas and energy; and

WHEREAS, when the Great Lakes Folk Festival began six years ago in East Lansing, Mr. Gabel once again offered his services to serve on the Board of Directors encouraging the three groups of the "Home" to participate and showcase their culture through ethnic cooking, leading to a great project for all members to share our culinary culture with others; and

WHEREAS, Mr. Gabel's accomplishments in the promotion of the Polish Heritage in the Lansing area are lasting and profound; and

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, wishes to recognize Bill Gabel for his enthusiasm and devotion to the community, its residents, and the City of Lansing. We wish you continued success in all your future endeavors!

By Councilmember Matt

Motion Carried

RESOLUTION#444

BY COMMITTEE OF THE WHOLE
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the City Clerk has forwarded an application for a City Permit, which has been routinely processed without objection, and is ready for final action by this Council; and

WHEREAS, all required signatures have been obtained supporting the application for a fireworks display permit;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council, hereby, approves the application for a City Permit as follows:

FIREWORKS DISPLAY PERMIT:

The Arts Council of Greater Lansing and Roger Bonney of Night magic for a public display of fireworks for Silver Bells in the City to be held on November 16, 2007.

By Councilmember Allen

Motion Carried

REPORTS FROM COUNCIL COMMITTEES

There were no Committee Reports

ORDINANCES FOR INTRODUCTION

INTRODUCTION OF ORDINANCE AMEND CHAPTER 1240, SECTION 1240.04

By Councilmember Jeffries, Chair of the Committee on Development and Planning

That:

An Ordinance of the City of Lansing to amend Chapter 1240, Section 1240.04 of the Lansing Codified Ordinances to permit a land owner to offer specific land use conditions as a condition of rezoning pursuant to the Michigan Zoning Enabling Act, MCL § 125.3405 was introduced by Councilmember Jeffries, read by its title and referred to the Committee on Development and Planning

RESOLUTION#445

RESOLUTION SETTING PUBLIC HEARING By Councilmember Jeffries

RESOLVED BY THE CITY COUNCIL, CITY OF LANSING, that a public hearing be set for Monday, ~~December 3~~ November 26, 2007 at 7:00 P.M. in the City Council Chambers, 10th Floor Lansing City Hall, 124 W. Michigan Ave., Lansing, MI for the purpose of considering an Ordinance of the City of Lansing to amend Chapter 1240, Section 1240.04 of the Lansing Codified Ordinances to permit a land owner to offer specific land use conditions as a condition of rezoning pursuant to the Michigan Zoning Enabling Act, MCL § 125.3405

Interested Persons are invited to attend this Public Hearing

By Councilmember Allen

To amend the Resolved clause following "Monday," by striking "December 3" and inserting "November 26"

Motion Carried

By Councilmember Allen

To place an affirmative roll on the amended resolution

Motion Carried

ORDINANCES FOR PASSAGE

There were no Ordinances for Passage

REPORTS FROM CITY OFFICERS, BOARDS, AND COMMISSIONS;

COMMUNICATIONS AND PETITIONS; AND OTHER CITY RELATED MATTERS

By Councilmember Allen that all items be considered as being read in full and that Vice President Jeffries make the appropriate referrals

Motion Carried

• Reports from City Officers, Board and Commissions:

- a. Letter from the City Clerk submitting an application for a Fireworks Display license filed by Roger Bonney on behalf of Night Magic Displays for Silver Bells in the City on November 16, 2007

RECEIVED AND PLACED ON FILE

- b. Letter from the City Clerk submitting minutes of Boards and Authorities placed on file in the City Clerk's Office

RECEIVED AND PLACED ON FILE

- c. Letters from the Mayor re:

- i. General Fund Status Report – FY 2008 1st Quarter

REFERRED TO THE COMMITTEE ON WAYS AND MEANS AND INTERNAL AUDIT

- ii. Sole Source; Finance Department/Property Management Division/Building Maintenance Section request for Architectural Systems Group L.L.C for the purchase and installation of a replacement score board for Gier Community Center

REFERRED TO THE COMMITTEE ON WAYS AND MEANS AND INTERNAL AUDIT

- iii. Sole Source; Planning and Neighborhood Development/Transportation Office request for Cycle Safe for the purchase of Inverted U Bicycle Racks

REFERRED TO THE COMMITTEE ON WAYS AND MEANS AND INTERNAL AUDIT

- iv. Sole Source; Planning and Neighborhood Development/Planning Division request for Landscape Architects and Planners for the Grand Vision Project/Grand and Red Cedar Rivers

REFERRED TO THE COMMITTEE ON WAYS AND MEANS AND INTERNAL AUDIT

- v. Notice of Intent to Issue Bonds for Phase IV, Segment 5 of the CSO Program

REFERRED TO THE COMMITTEE ON WAYS AND MEANS AND INTERNAL AUDIT

• Communications and Petitions, and Other City Related Matters:

- a. Notice from Delta Township District Library submitting its 2007 Tax Levy and Millage Reduction Fraction Computation

REFERRED TO THE TREASURY DEPARTMENT AND REFERRED TO THE CITY ASSESSOR

- b. Letter from attorneys on behalf of the Michigan Manufacturers Association, submitting Protest Petitions with four (4) signatures representing six (6) properties in opposition to Z-5-2007; 600 S. Capitol Ave., a request filed by AnnaBelle & Associates, Inc.

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING AND REFERRED TO THE PLANNING AND DEVELOPMENT DEPARTMENT

- c. Letter from John Pollard, President of Fair Share Coalition of Lansing regarding alleged Charter violations by the City Council

REFERRED TO THE CITY ATTORNEY

- d. Letter from Gary Kellogg of 137 E. Reasoner St. submitting photographs regarding alleged code violations at 129 E. Reasoner St.

REFERRED TO THE CITY ATTORNEY AND REFERRED TO THE CODE COMPLIANCE OFFICE

- e. Letter from Robert Hines of 1704 N. Genesee Dr. and Cortland Major of 1700 N. Genesee Dr. requesting traffic calming in their neighborhood

REFERRED TO THE TRANSPORTATION DEPARTMENT AND REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

- f. Letter from Joe Schramek of 604 Berwyn St., Dearborn Heights, MI requesting the Sycamore Driving Range and Learning Center be renamed the Paul Bondeson-Sycamore Driving Range and Learning Center, and submitting articles about Paul Bondeson

REFERRED TO THE MEMORIAL REVIEW BOARD AND REFERRED TO THE PARKS BOARD

- g. Letter from Melissa Dey Hasbrook of 335 N. Magnolia Ave. requesting an update on her letter dated October 4, 2007 regarding the process for using City Hall Plaza

REFERRED TO THE MAYOR AND REFERRED TO THE COMMITTEE ON GENERAL SERVICES

- h. Letter from David Lambert of 1106 Walsh St. regarding City government internet domain names

REFERRED TO THE MAYOR AND REFERRED TO INFORMATION TECHNOLOGY

REMARKS BY COUNCILMEMBERS

Councilmember Kaltenbach spoke about a letter from Melissa Dey Hasbrook that is on tonight's agenda for referral. He said this issue will be taken up on November 26 at the next General Services meeting.

Councilmember Allen stated that she has agreed to add Ms. Hasbrook's request for discussion to the Public Safety agenda regarding violence against women.

Vice President Jeffries spoke about City Related Matters speaker David Lambert's need of information from Joan Jackson Johnson. He asked Jerry Ambrose to make sure that the information gets to Mr. Lambert.

Councilmember Dunbar said hello to her son Ethan who is in the audience tonight.

REMARKS BY THE MAYOR OR EXECUTIVE ASSISTANT

Jerry Ambrose, Executive Assistant to the Mayor, spoke about the Neighborhood Watch training session, which is being held at South Precinct. He reminded everyone of the Veterans Day Celebration.

ADJOURNED TIME 9:29 P.M.

CHRIS SWOPE, CITY CLERK



**OFFICIAL PROCEEDINGS OF
THE CITY COUNCIL
CITY OF LANSING
PROCEEDINGS OF NOVEMBER 15, 2007**

City Council Chambers
Lansing, Michigan

The City Council of the City of Lansing met in regular session and was called to order at 7:00 p.m. by President Leeman.

PRESENT: Councilmembers Allen, Dunbar, Kaltenbach, Leeman, Matt, Wood

ABSENT: Councilmembers Jeffries and Quinney

City Clerk Swope asked that during the Meditation we remember election inspectors Sarah Jackson and Thelma Larkin

The Council observed a moment of Meditation followed by the Pledge of Allegiance led by President Leeman

APPROVAL OF MINUTES

By Councilmember Allen

To approve the printed Council Proceedings of November 5, 2007

Motion carried

CONSIDERATION OF LATE ITEMS

By Councilmember Allen

To suspend City Council Rule #11 to allow for Consideration of Late Items

Motion carried

The following items were added to the agenda:

1. From Councilmember Kaltenbach; Recognition of nonprofit status to Addiction Relief & Supported Recovery, Inc. located at 2600 Forest Rd.
2. From Councilmember Kaltenbach; Introduction of an Ordinance of the City of Lansing, Michigan, to add chapter 1023 et seq, of the Lansing codified ordinances to promote and protect the public health, safety and welfare and exercise reasonable control over the public right-of-way by regulating the use and occupation of such right-of-way by video service providers who have a standardized, uniform franchise but who lack a metro act permit from the city, and setting a Public Hearing for November 26, 2007
3. From Councilmember Allen; Letter from the Mayor re: Fifteen (15) Board and Commission appointments and reappointments
4. From Councilmember Allen; Letter from the Mayor re: ACT-4-07; Groesbeck Drain, Disposition of BWL Property
5. From Councilmember Allen; Letter from the Mayor re: P.A. 328; Barnes Aerospace for property located at 5400 Aurelius Rd.

6. From Councilmember Allen; Letter from the Mayor re: Appointments to Michigan Avenue Corridor Authority Exploratory Committee
7. From Councilmember Allen; Letter from the Mayor re: Emergency Purchase Order; E.T. McKenzie Company for emergency repairs to sanitary sewer manhole structure at the Waverly Rd. Interceptor
8. From Councilmember Leeman; Presentation; Capitol Club Tower Project

SPECIAL CEREMONIES

• Special Ceremonies

1. Presentation; Capitol Club Tower Project

Bob Trezise, Director of Economic Development Corporation, gave an extensive overview of the proposed Capitol Club Tower on Grand Ave.

Brian Anderson, Economic Development Corporation, spoke about the taxable value on the proposed project.

John Czarnecki spoke about a project similar to the Capitol Club Tower that took place in Grand Rapids.

Shawn Elliott gave additional information on the proposed project for Capitol Club Towers.

Dan Wert spoke in support of the Renaissance Zone and the proposed project for Capitol Club Tower.

COUNCILMEMBERS' COMMENTS AND CITY CLERK'S ANNOUNCEMENTS:

Councilmember Dunbar spoke about the Silver Bells in the City Celebration that will take place in Lansing on Friday. She announced that the Human Resources and Community Service Department is hosting a Healthy Thanksgiving Summit on Saturday.

Councilmember Kaltenbach thanked Christopher Stevenson of the Public Service Department, Waste Reduction Division, for doing such an outstanding job on Bartlett St. while doing his job picking up the Blue Billy trash containers.

Councilmember Wood announced the Lewton/Rich Neighborhood Association meeting.

Councilmember Matt congratulated Councilmember Wood and Councilmember Quinney for their victories in last week's election. He also congratulated the newly elected Councilmembers on their victories.

President Leeman announced the event that will be taking place at REO Museum before Silver Bells begins.

City Clerk Swope wished another election inspector, Jim McGaugh, a speeding recovery and stated that Jim suffered a heart attack on Election Day. He spoke about how the photo ID requirement

impacted voters at the polls. He stated that there was a record turnout on Absentee Ballots for a City Election.

SPEAKER REGISTRATION FOR PUBLIC COMMENT

(Clerk Swope announced that the public comment registration form(s) for those intending to address Council on legislative or City government matters will be collected and that only those persons who have fully completed the form(s) will be permitted to speak.)

MAYOR'S COMMENTS

Mayor Bernero spoke about a proposal to build a permanent outdoor performance venue in Adado Riverfront Park. He spoke about last weekend's Veterans Day Tribute at Don Johnson Fieldhouse on the campus of Eastern High School and said it was a moving and beautiful ceremony that paid tribute to all of our veterans who have sacrificed so much to keep our nation safe and free. He announced that tomorrow night is our annual Silver Bells in the City celebration and that tens of thousands of people will converge on downtown Lansing for the Electric Light Parade at 6:10 p.m., followed by the lighting of Michigan's official Christmas Tree in front of the State Capitol Building. A spectacular fireworks show will kick off immediately following the tree lighting. He spoke about the proposed Renaissance Zone for the Capitol Club Towers development on South Grand Avenue.

SHOW CAUSE HEARINGS

- Comment on Scheduled Show Cause Hearings:

There were no Show Cause Hearings

PUBLIC COMMENT ON LEGISLATIVE MATTERS

- Public Comment on Legislative Matters:

Legislative Matters included the following public hearings:

There were no Public Hearings

Ray Coleman of 709 W. Saginaw St. stated that he is a tenant at this location and that he asked Council to give the tenants at least a 30 extension so they may find different housing before declaring the property a Public Nuisance.

John Pollard of 1718 Blair St. spoke in opposition to both of the Brownfield projects and to the proposed Renaissance Zone project.

Kevin Green, Executive Director of the Principal Shopping District, spoke in support of the proposed Capitol City Tower Project and the Renaissance Zone.

Darnell E. Oldham Sr. of 3815 Berwick Dr. spoke in opposition to the developments. He spoke in opposition to tax abatements for all developments.

Matt Dugener of 1012 Walnut St. spoke in support of the proposed Capitol City Tower project.

Dru Vinson of 606 S. Fairview Ave. spoke in opposition to the proposed Capitol City Tower project.

PUBLIC COMMENT ON CITY GOVERNMENT RELATED MATTERS:

Michael Morofsky of 1300 Woodbine Ave. gave an update on some railroad crossings.

Melissa Dey Hasbrook of 335 N. Magnolia Ave. spoke about safety concerns in neighborhoods and violence against women.

Dale Abronowitz of 1811 Sunset Ave. spoke about various city matters.

Joel Wiese of 311 Strathmore Rd. spoke about concerns that he has with the propose redevelopment of the Lansing City Market.

Frank S. Curtis X of 1137 West Allegan St. spoke about various city matters.

Gary Bodiford of 1120 N. Jenison Ave. spoke about various city matters.

Darnell E. Oldham Sr. of 3815 Berwick Dr. spoke about various city matters.

John Pollard of 1718 Blair St. spoke about various city matters.

Anne Hodge of 203 Reasoner St. spoke about issues with the Code Compliance Department.

Charlene Decker of 2711 Pleasant Grove Rd. spoke about various city matters.

Dru Vinson of 606 S. Fairview Ave. spoke about various city matters.

LEGISLATIVE MATTERS

RESOLUTIONS

RESOLUTION#446

BY THE COMMITTEE ON DEVELOPMENT AND PLANNING
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

Renaissance Zone; 213, 217, 219 & 221 S. Grand Avenue and Lot 18, City Club Tower Development

WHEREAS, pursuant to the Renaissance Zone Act, being Public Act 376 of 1996 as amended, City Club Tower Development Corporation ("Developer") has filed an application for a Renaissance Zone sub-zone ("Renaissance Zone") with the Lansing City Clerk, for a proposed structure of a minimum twelve (12) stories in height containing a minimum of one hundred twenty two (122) home owner occupied residential units, at an investment cost of a minimum of twenty two million, five hundred thousand dollars (\$22,500,000) ("Project"), to be constructed over properties more commonly known as 217, 219 and 221 South Grand Avenue (the "Goodrich Building") and 213 South Grand Avenue (the "City Club Building") and the City of Lansing surface parking lot ("Lot 18") ("Properties"); and

WHEREAS, the Developer is in the process of purchasing and assembling the Properties for the Project; and

WHEREAS, the Developer has represented and committed to the City, through its LEDC, that it will form a legal entity to purchase the Properties and construct the Project, subject to certain conditions precedent, one of which is the establishment of the Properties as a Renaissance Zone; and

WHEREAS, the Renaissance Zone, if approved by the Michigan Strategic Fund, will not go in to effect until 2009, lasting 15 years, of which in year 13 benefits will begin to be incrementally lowered;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council hereby approves this support resolution which will accompany the Renaissance Zone application to be submitted for final consideration and approval by the Michigan Strategic Fund, for the Properties more commonly known as 217, 219 and 221 South

Grand Avenue (Parcel No. 33-01-01-16-402-041) (the "Goodrich Building") and 213 South Grand Avenue (Parcel No. 33-01-01-16-402-032) (the "City Club Building") and City of Lansing surface parking lot (Parcel No. 33-01-01-16-402-062) ("Lot 18"), Lansing, Michigan, for the period of fifteen (15) consecutive years to begin on January 1, 2009.

BE IT FURTHER RESOLVED that the Lansing City Council, in approving the Developer's application by this resolution, finds and determines all of the following;

1. The applicant is not delinquent in any taxes related to the properties.
2. All of the items described in the Application for Renaissance Zone have been provided to the City of Lansing by the applicant.
3. The commencement of rehabilitation activities of the facility did not occur prior to the establishment of the Renaissance Zone.
4. The application relates to the Renaissance Zone properties more commonly known as 217, 219 and 221 South Grand Avenue (the "Goodrich Building") and 213 South Grand Avenue (the "City Club Building") and the City of Lansing surface parking lot ("Lot 18"), Lansing, Michigan and, when completed, will constitute a structure of a minimum twelve (12) stories in height containing a minimum of one hundred twenty two (122) home owner occupied residential units, at a cost of a minimum of twenty two million, five hundred thousand dollars (\$22,500,000)
5. The completion of the structure is calculated to, and will at the time of issuance of the certificate, have the reasonable likelihood to, increase commercial activity, create some employment, and revitalize an urban area.
6. The structure must be completed not later than December 31, 2011 as evidence by the issuance of a Certificate of Occupancy from the City of Lansing Building Safety Office.

BE IT FINALLY RESOLVED that the City Clerk shall cause the Application for Renaissance Zone to be completed, including the "Clerk Certification" and shall file the completed application, together with a certified copy of this resolution with the Michigan Strategic Fund after and on the following conditions being met: (1) that the Lansing City Council approves the sale of Lot 18 to the Developer and its development as part of the Project pursuant to a certain agreement entitled "Agreement to Sell Between the City of Lansing and Grand River Tower LLC Regarding the Surface parking Lot Commonly Referred to as Lot 18 Located in the One Hundred and Two Hundred Block of South Grand Avenue, (2) that the Developer provide documentation to the LEDC confirming a closing has taken place between the developer and both the "City Club building" property owner and the "Goodrich building" property owner, and (3) that the City Council has approved a Development Agreement."

By Councilmember Allen

Motion Carried

Councilmember Matt left the meeting at 3:27 P.M.

RESOLUTION#447

BY THE DEVELOPMENT AND PLANNING COMMITTEE
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING
RESOLUTION APPROVING
BROWNFIELD PLAN #33 – THE ABIGAIL SCHOOL FOR THE
BLIND REDEVELOPMENT PROJECT

WHEREAS, the Brownfield Redevelopment Authority (the Authority) of

the City of Lansing, pursuant to and in accordance with the provisions of the Brownfield Redevelopment Financing Act, Public Act, Public Act 381 of 1996, as amended, (the Act) has prepared a Brownfield Plan, submitted to Council and placed on file in the office of City Clerk, LBRA Brownfield Plan #33 – The Abigail School for the Blind Redevelopment Project (the Plan); and

WHEREAS, a public hearing was held by the Lansing City Council and at least 20 days before the public hearing the taxing jurisdictions were provided notice to be fully informed about the fiscal and economic implications of the proposed Plan and given a reasonable opportunity to express their views and recommendations regarding the Plan in accordance with Section 13 (10) and 14(1) of the Act; and

WHEREAS, the Lansing City Council, after its public hearing on October 22, 2007, reviewed testimony and evidence regarding the Plan, and found that:

1. the Project Property was historically used for the Michigan School for the Deaf and Blind,
2. the Plan provides for the no reimbursement of costs attributable to eligible activities to the developer and the Authority,
3. the Project includes, in addition to the activities identified in the Plan, the redevelopment of the property,
4. the Project may result in new private investment of approximately \$11,200,000
5. the Plan provides for no capture of property tax increment revenues from the private investment on the site and its location within the Tax Increment Finance Authority

WHEREAS, the Authority Board of Directors, at its meeting of September 4, 2007, unanimously recommended approval of the Plan, for this Project;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, after having duly considered the Plan, finds it is in compliance with the provisions of the Act and further finds:

1. The Plan constitutes a public purpose under the Act;
2. The Plan meets all of the requirements for a Brownfield Plan set forth in Section 13 of the Act;
3. The proposed method of financing the costs of the eligible activities, as described in the Plan, is feasible and the Authority has the ability to arrange the financing;
4. The costs of the eligible activities proposed in the Plan are reasonable and necessary to carry out the purposes of the Act; and
5. The amount of the captured taxable value estimated to result from the adoption of the Plan is reasonable.

IT IS FINALLY RESOLVED that the Lansing City Council hereby approves the LBRA Brownfield Plan #33 – The Abigail School for the Blind Project.

By Councilmember Allen

Motion Carried

RESOLUTION#448

BY THE DEVELOPMENT AND PLANNING COMMITTEE
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING
RESOLUTION APPROVING

**BROWNFIELD PLAN #34 – THE LIBRARY SCHOOL FOR THE
BLIND REDEVELOPMENT PROJECT**

WHEREAS, the Brownfield Redevelopment Authority (the Authority) of the City of Lansing, pursuant to and in accordance with the provisions of the Brownfield Redevelopment Financing Act, Public Act, Public Act 381 of 1996, as amended, (the Act) has prepared a Brownfield Plan, submitted to Council and placed on file in the office of City Clerk, LBRA Brownfield Plan #34 – The Library School for the Blind Redevelopment Project (the Plan); and

WHEREAS, a public hearing was held by the Lansing City Council and at least 20 days before the public hearing the taxing jurisdictions were provided notice to be fully informed about the fiscal and economic implications of the proposed Plan and given a reasonable opportunity to express their views and recommendations regarding the Plan in accordance with Section 13 (10) and 14(1) of the Act; and

WHEREAS, the Lansing City Council, after its public hearing on October 22, 2007, reviewed testimony and evidence regarding the Plan, and found that:

1. the Project Property was historically used for the Michigan School for the Deaf and Blind as its library,
2. the Plan provides for the no reimbursement of costs attributable to eligible activities to the developer and the Authority,
3. the Project includes, in addition to the activities identified in the Plan, the redevelopment of the property,
4. the Project may result in new private investment of approximately \$1,100,000
5. the Plan provides for no capture of property tax increment revenues from the private investment on the site and its location within the Tax Increment Finance Authority

WHEREAS, the Authority Board of Directors, at its meeting of September 4, 2007, unanimously recommended approval of the Plan, for this Project;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, after having duly considered the Plan, finds it is in compliance with the provisions of the Act and further finds:

1. The Plan constitutes a public purpose under the Act;
2. The Plan meets all of the requirements for a Brownfield Plan set forth in Section 13 of the Act;
3. The proposed method of financing the costs of the eligible activities, as described in the Plan, is feasible and the Authority has the ability to arrange the financing;
4. The costs of the eligible activities proposed in the Plan are reasonable and necessary to carry out the purposes of the Act; and
5. The amount of the captured taxable value estimated to result from the adoption of the Plan is reasonable.

IT IS FINALLY RESOLVED that the Lansing City Council hereby approves the LBRA Brownfield Plan #34 – The Library School for the Blind Project.

By Councilmember Allen

Motion Carried

RESOLUTION#449

BY THE DEVELOPMENT AND PLANNING COMMITTEE
RESOLUTION TO SET A PUBLIC HEARING REGARDING THE
ESTABLISHMENT OF AN OBSOLETE PROPERTY
REHABILITATION DISTRICT
309 Clinton St. – Zander Management

WHEREAS, the owner of property located at 309 Clinton St. Ave in the City of Lansing, Michigan (the Property) has requested in writing that the City of Lansing establish an Obsolete Property Rehabilitation District (the District) as enabled by Public Act 146 of 2000, the Obsolete Property Rehabilitation Act (the Act), and

WHEREAS, the owner of the Property, Zander Management, is presently the legal owner of greater than fifty percent (50%) of all taxable value of the property located within the proposed District, and

WHEREAS, the property in question and the proposed boundary of the District is legally described as: LOTS 13 & 16 BLOCK 7 ORIG PLAT; and,

WHEREAS, the Act requires that before establishing a District the Lansing City Council hold a public hearing in order to provide an opportunity for owners, residents or other taxpayers of the City of Lansing to appear and be heard regarding the establishment of the District.

NOW THEREFORE BE IT RESOLVED that a public hearing be held in the City Council Chambers of the City of Lansing, 10th Floor, Lansing City Hall, Lansing, Michigan, on the 3rd Day of December, 2007 at 7:00 p.m. for the purpose of receiving public comment on the establishment of an Obsolete Property Rehabilitation District under the provisions of Public Act 146 of 2000 and that the Clerk shall publish once in a publication of general circulation within the community a notice of the scheduled public hearing and that the notice appear not less than 10 or more than 30 days prior to the date of the hearing and that the Clerk also cause the owner of property within the proposed district to receive written notice of the public hearing to be delivered by certified mail.

By Councilmember Allen

Motion Carried

RESOLUTION#450

BY THE DEVELOPMENT AND PLANNING COMMITTEE
RESOLUTION TO SET A PUBLIC HEARING REGARDING THE
ESTABLISHMENT OF AN OBSOLETE PROPERTY
REHABILITATION DISTRICT
1030 S. Holmes St. – Spartan Internet Consultants

WHEREAS, the intending purchaser of property located 1030 S. Holmes St. in the City of Lansing, Michigan (the Property) has requested in writing that the City of Lansing establish an Obsolete Property Rehabilitation District (the District) as enabled by Public Act 146 of 2000, the "Obsolete Property Rehabilitation Act (the Act), and

WHEREAS, the intending owner of the Property, Spartan Internet Consultants, is intending to become the legal owner of greater than fifty percent (50%) of all taxable value of the property located within the proposed District, and

WHEREAS, the property in question and the proposed boundary of the District is legally described as:

LOTS 1 THRU 13 INCL & LOTS 21 THRU 34 INCL BLOCK 11
MANUFACTURERS ADD NO 2 and,

WHEREAS, the Act requires that before establishing a District the Lansing City Council hold a public hearing in order to provide an opportunity for owners, residents or other taxpayers of the City of

Lansing to appear and be heard regarding the establishment of the District.

NOW THEREFORE BE IT RESOLVED that a public hearing be held in the City Council Chambers of the City of Lansing, 10th Floor, Lansing City Hall, Lansing, Michigan, on the 3rd Day of December, 2007 at 7:00 p.m. for the purpose of receiving public comment on the establishment of an Obsolete Property Rehabilitation District under the provisions of Public Act 146 of 2000 and that the Clerk shall publish once in a publication of general circulation within the community a notice of the scheduled public hearing and that the notice appear not less than 10 or more than 30 days prior to the date of the hearing and that the Clerk also cause the owner of property within the proposed district to receive written notice of the public hearing to be delivered by certified mail.

By Councilmember Allen

Motion Carried

RESOLUTION#451

BY THE COMMITTEE ON GENERAL SERVICES
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Addiction Relief & Supported Recovery, Inc. (ARSR) has requested a resolution of recognition as a Local Nonprofit Organization operating in the City of Lansing for a charitable gaming license pursuant to MCL 432.103 (9); and

WHEREAS, the City Attorney has reported that, based on a review of the documentation submitted, the applicant qualifies as a Local 501 (c) (3) Nonprofit Organization;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council, hereby, recognizes Addiction Relief & Supported Recovery, Inc. as a Local Nonprofit Organization operating in the City of Lansing for the purpose of obtaining a charitable gaming license to conduct a raffle.

BE IT FURTHER RESOLVED the City Clerk is requested to provide a copy of this resolution to David Beatty, Executive Director, Addition Relief & Supported Recovery, Inc., P.O. Box 25001, Lansing, Michigan 48909-5001.

By Councilmember Kaltenbach

Motion Carried

RESOLUTION#452

BY THE COMMITTEE OF THE WHOLE
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the City of Lansing, a Home Rule City, has the authority to enact a nuisance abatement ordinance as a means to promote the public health, safety, and welfare of its citizens to achieve the valid goal of the City's police power; and

WHEREAS, the City of Lansing has enacted such an ordinance in Chapter 630 of the Lansing Code of Ordinances; and

WHEREAS, the Home Rule Cities Act, Michigan Compiled Laws Annotated Sec. 117.01 et. seq., authorizes the City Council to determine if there has been any violation(s) of this Ordinance; and

WHEREAS, Chapter 630 allows for a property to be padlocked and/or boarded for a period of up to one year from the date Council adopts a resolution authorizing such a board-up and/or padlock; and

WHEREAS, if there have been two investigations within six months where controlled substances or drug paraphernalia were found, a nuisance shall be presumed; and

WHEREAS, Council may also determine a public nuisance exists

whenever the repeated use, sale, furnishing, giving or possession of controlled substances or drug paraphernalia occurs on any property and results in increased pedestrian and/or vehicular traffic occurring in the neighborhood surrounding the property, and in the disturbance of the peace and quiet of the residents residing in the neighborhood surrounding the property; and

WHEREAS, the owner of such property shall be, and has been, offered all due process rights including proper notice and a hearing; and

WHEREAS, the standard of review to be used by the City Council in determining if a property is a public nuisance is a preponderance of the evidence;

WHEREAS, the property of 709 W. Saginaw is owned by Mohamad Abduljaber, 9557 Airport Rd., DeWitt, Michigan 48820 who was notified of the evidentiary public hearing to be held on this property; and

WHEREAS, a evidentiary public hearing on the record occurred before the Committee of the Whole on November 8, 2007, giving the Lansing Police Department, City Attorney, and the property owner and/or agent of 709 W. Saginaw the opportunity to present competent, substantial, and material evidence, to present factual and legal arguments, and to cross examine opposing witnesses to protect the due process rights of the parties; and

WHEREAS, the City Attorney has recommended that the property located at 709 W. Saginaw be boarded-up and/or padlocked under the Ordinance for up to a year, and the Committee of the Whole, following the evidentiary public hearing, has concurred in such recommendation; and

WHEREAS, this decision shall be, and is, supported with competent, substantial, and material evidence on the record; and

NOW, THEREFORE, BE IT RESOLVED, based on a preponderance of competent, substantial, and material evidence presented and received at the evidentiary public hearing on the record before the Committee of the Whole, the City Council finds the following:

1. On November 20, 2006, Lansing police officers responded to an unknown trouble and upon the officers' arrival, they located a vehicle in the driveway of 709 W. Saginaw and one subject was arrested for possession of drug equipment (LLA061120086831).
2. On November 27, 2006, Lansing police officers working in the area made a traffic stop. As they stopped the vehicle, one of the subjects fled from the vehicle and was believed to run to 709 W. Saginaw #1. Officers received consent to search and located a crack pipe on top of the mattress in the living room of the apartment. The crack pipe was taken as evidence (LLA-061127090863).
3. On January 24, 2007, Lansing police officers responded to an incident involving a CI making a \$20 purchase of crack cocaine from the front apartment on the East side of the residence (LLA070124005484).
4. On March 26, 2007, the Lansing Police Department's Special Operations Section conducted a controlled buy at 709 W. Saginaw. A police informant purchased \$20.00 worth of crack cocaine from 709 W. Saginaw. The evidence included one rock of Crack Cocaine (complaint number LLA070326019716).
5. On May 17, 2007, the Lansing Police Department's Special Operations Section conducted a controlled buy at 709 W. Saginaw. A police informant purchased \$20.00

worth of crack cocaine from 709 W. Saginaw. The evidence included one rock of Crack Cocaine (complaint number LLA070417025027).

6. On July 17, 2007, the officers from the Lansing Police Department made contact with three males loitering behind 709 W. Saginaw. The investigation led the officer to 709 W. Saginaw, Apt. 3. The evidence included: three baggies with possible controlled substance residue inside, two broken metal hanger "pushers" with burnt ends, and a crack pipe (complaint number LLA070715051317).
7. On July 18, 2007, a Lansing police officer on patrol in the area of 709 W. Saginaw observed a vehicle that was known to be driven by a subject involved in drug activity. Occupants of the vehicle informed the officer that they were there to purchase drugs and the drug dealer was in the back seat of the vehicle. The drug dealer was arrested for possession of a crack pipe and one rock of crack cocaine was located. The drug dealer lived at 709 W. Saginaw in the back west apartment (LLA070718052266).
8. In accordance with Chapter 630 of the Lansing Codified Ordinances, on July 23, 2007, the City Attorney sent a letter to the owner, Mohamad Abduljaber, 9557 Airport Rd., DeWitt, Michigan 48820 via certified mail/return receipt requested. The returned receipt was dated August 10, 2007 and the signature appears to be Mohamad Abduljaber. The letter stated that under the provisions of Chapter 630 of the Lansing Codified Ordinances, if the property was investigated within six months of July 23, 2007, and controlled substance and/or drug paraphernalia was found, then the City could prohibit occupancy of the property for a period of up to one year and/or hold the owner liable for the full cost of any City personnel subsequent to the first investigation, and the full cost of any City personnel and materials involved in the boarding-up or padlocking and assess those costs against the property.
9. On July 30, 2006 the Lansing Police Department's START team was called to assist the Special Operations Section with the execution of a search warrant for drug activity at 709 W. Saginaw. The police discovered evidence that illegal drug activity was occurring. The evidence found included: three small rocks of crack cocaine, one silver crack pipe, and one wire "pusher" (complaint number LLA070730055921).
10. On August 6, 2007, the City Attorney sent a second letter via a certified mail/return receipt requested to Mohamad Abduljaber, 9557 Airport Rd., DeWitt, Michigan 48820 notifying the owner of the drug activity on July 30, 2007. The returned receipt was acknowledged on August 11, 2007.
11. The City Attorney has recommended that the provisions of Chapter 630 of the Code of Ordinances be enforced against the property owner and that the 709 W. Saginaw property be boarded up for one year period.

BE IT FURTHER RESOLVED that the City Council determines that the property located at 709 W. Saginaw is a Public Nuisance under Chapter 630 and hereby orders:

1. The property located at 709 W. Saginaw be boarded-up and/or padlocked no sooner than November 16, 2007 and no later than December 16, 2007;
2. The property located at 709 W. Saginaw shall be padlocked and/or boarded-up and the owner shall be responsible for all costs and expenses incurred by the City in connection with such abatement, pursuant to Chapter 630 including, but not limited to, relocation, installation of a burglar alarm and all

incidental costs and expenses associated with the investigations and securing of the property, which shall be assessed against the property and constitute a lien against the property until the expense is fully paid to the City;

3. The property located at 709 W. Saginaw shall remain in probation for one year after the termination of the boarding-up/padlocking period to prevent the property from returning to a public nuisance status;
4. The Office of Code Compliance must be contacted to schedule an inspection of the property located at 709 W. Saginaw and declare it safe for occupancy prior to termination of the board-up.
5. The City Attorney's Office, enforcement officials, and the Office of Code Compliance are, hereby, authorized to execute this Resolution;

BE IT FINALLY RESOLVED that the owner of the property located at 709 W. Saginaw may appeal the City Council's decision to the Circuit Court within ten (10) days from the date of this resolution, and if so appealed, the Circuit Court shall review the decision to determine if it was in violation of the law, was obtained by fraud, or is an abuse of discretion, and whether it is supported by consistent, substantial, and material evidence on the record.

By Councilmember Allen

Motion Carried

REPORTS FROM COUNCIL COMMITTEES

There were no Committee Reports

ORDINANCES FOR INTRODUCTION

INTRODUCTION OF ORDINANCES

The following ordinance of the City of Lansing, Michigan, providing that the Code of Ordinances be amended by providing for the rezoning of property located in the City of Lansing, Michigan, and for the revision of the district maps adopted by Section 1246.02 of the Code for property located at:

Z-5-2007, 600 S. Capitol Avenue, from "D-1" Professional Office District to "F" Commercial District

was introduced by Councilmember Jeffries, read by its title and referred to the Committee on Development and Planning.

RESOLUTION#453

BY THE COMMITTEE ON DEVELOPMENT & PLANNING
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

Resolved by the City Council of the City of Lansing that a public hearing be set for Monday, December 3, 2007, at 7 p.m. in City Council Chambers, Tenth Floor, Lansing City Hall, 124 West Michigan Avenue, Lansing, Michigan, for the purpose of approving and/or opposing the Ordinance for rezoning:

Z-5-2007, 600 S. Capitol Avenue, from "D-1" Professional Office District to "F" Commercial District

By Councilmember Allen

Motion Carried

INTRODUCTION OF ORDINANCE ADD CHAPTER 1023 ET SEQ

By Councilmember Kaltenbach, Chair of the Committee on General Services

That:

An Ordinance of the City of Lansing, Michigan, to add chapter 1023 et seq. of the Lansing codified ordinances to promote and protect the public health, safety and welfare and exercise reasonable control over the public right-of-way by regulating the use and occupation of such right-of-way by video service providers who have a standardized, uniform franchise but who lack a metro act permit from the city was introduced by Councilmember Kaltenbach, read by its title and referred to the Committee on General Services

RESOLUTION#454

RESOLUTION SETTING PUBLIC HEARING
By Councilmember Kaltenbach

RESOLVED BY THE CITY COUNCIL, CITY OF LANSING, that a public hearing be set for Monday, November 26, 2007 at 7:00 P.M. in the City Council Chambers, 10th Floor Lansing City Hall, 124 W. Michigan Ave., Lansing, MI for the purpose of considering an Ordinance of the City of Lansing, Michigan, to add chapter 1023 et seq. of the Lansing codified ordinances to promote and protect the public health, safety and welfare and exercise reasonable control over the public right-of-way by regulating the use and occupation of such right-of-way by video service providers who have a standardized, uniform franchise but who lack a metro act permit from the city

Interested Persons are invited to attend this Public Hearing

By Councilmember Kaltenbach

Motion Carried

ORDINANCES FOR PASSAGE

There were no Ordinances for Passage

**REPORTS FROM CITY OFFICERS, BOARDS, AND COMMISSIONS;
COMMUNICATIONS AND PETITIONS;
AND OTHER CITY RELATED MATTERS**

By Councilmember Jeffries that all items be considered as being read in full and that President Leeman make the appropriate referrals

Motion Carried

Reports from City Officers, Board and Commissions:

- a. Letter from the City Clerk submitting minutes of Boards and Authorities placed on file in the City Clerk's Office

RECEIVED AND PLACED ON FILE

- b. Letters from the Mayor re:

- i. Transfer of Funds; Police Administration, Donations – Contributions

REFERRED TO THE COMMITTEE ON WAYS AND MEANS AND INTERNAL AUDIT

- ii. Transfer of Funds; Police Administration, Donations – Contributions

REFERRED TO THE COMMITTEE ON WAYS AND MEANS AND

INTERNAL AUDIT

- iii. Transfer of Funds; Police Radio Lab, Miscellaneous Operating

REFERRED TO THE COMMITTEE ON WAYS AND MEANS AND INTERNAL AUDIT

- iv. Appointment of Jerry Ambrose to the Local Development Finance Authority for a Term to Expire June 30, 2009

REFERRED TO THE COMMITTEE ON WAYS AND MEANS AND INTERNAL AUDIT

- v. Reappointment of Ellen Jeffries to the Lansing Entertainment and Public Facilities Authority for a Term to Expire June 30, 2011

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES

- vi. Reappointment of Cynthia Bowen to the Lansing Entertainment and Public Facilities Authority for a Term to Expire June 30, 2011

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES

- vii. TCO-07-034; Installation of yield signs on westbound Madison St. at the intersection of Sycamore St.

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

- viii. Requesting the formation of a Neighborhood Enterprise Zone (NEZ) District along the Kalamazoo corridor from Cedar St. to Hosmer St.

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

- ix. Transfer of Funds; Capital Projects Fund, Cable Public, Education, and Government (P.E.G.) Access Fee Expenditures, Contractual Services & Equipment

REFERRED TO THE COMMITTEE ON WAYS AND MEANS AND INTERNAL AUDIT

- x. Transfer of Funds; General Fund, Operating Transfers, 410 Fund – Capital Improvement Project

REFERRED TO THE COMMITTEE ON WAYS AND MEANS AND INTERNAL AUDIT

- xi. Withdrawal of the Appointment of Robin Smith to the Board of Water and Light Board of Trustees

REFERRED TO THE COMMITTEE OF THE WHOLE

- xii. Appointment of Frank Lain to the Board of Water and Light Board of Trustees for a 3rd Ward Term to Expire June 30, 2011

REFERRED TO THE COMMITTEE OF THE WHOLE

- xiii. Appointment of Tina Houghton to the Parks Board for an At-Large Term to Expire June 30, 2011

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES

- xiv. Appointment of Vince Villegas to the Principal Shopping District Board of Directors Downtown Business Owners for a Term to Expire June 30, 2010

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES

- xv. Appointment of Farhan Bhatti to the Principal Shopping District Board of Directors Downtown Adjoining Neighborhood for a Term to Expire June 30, 2009

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES

- xvi. Withdrawal of the Appointment of Greg Koessel to the Lansing Employee Retirement Board of Trustees

REFERRED TO THE COMMITTEE ON WAYS AND MEANS AND INTERNAL AUDIT

- xvii. Reappointment of Grant Hilts to the Board of Zoning Appeals for an At-Large Term to Expire June 30, 2008

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

- xviii. Fifteen (15) Board and Commission appointments and reappointments

*SUSPENSION ITEM-REFERRED TO THE COMMITTEE OF THE WHOLE

- xix. Appointments to Michigan Avenue Corridor Authority Exploratory Committee

*SUSPENSION ITEM-REFERRED TO THE COMMITTEE OF THE WHOLE

- xx. ACT-4-07; Groesbeck Drain, Disposition of BWL Property

*SUSPENSION ITEM-REFERRED TO THE COMMITTEE OF THE WHOLE

- xxi. P.A. 328; Barnes Aerospace for property located at 5400 Aurelius Rd.

*SUSPENSION ITEM-REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

- xxii. Emergency Purchase Order; E.T. McKenzie Company for emergency repairs to sanitary sewer manhole structure at the Waverly Rd. Interceptor

*SUSPENSION ITEM-REFERRED TO THE COMMITTEE ON WAYS AND MEANS AND INTERNAL AUDIT

- Communications and Petitions, and Other City Related Matters:

- a. Letter from the State of Michigan Department of Military & Veterans Affairs offering the sale of the Lansing Artillery Armory located at 300 Elvin Ct.

REFERRED TO THE MAYOR AND REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

- b. Letter from the State of Michigan Department of Environmental Quality providing notice of the issuance of Marina Operating Permit (MOP) Number 80-15-0514-M and site plan to the Lansing Boat Club located at 2901 W. Main St.

REFERRED TO THE MAYOR AND REFERRED TO THE COMMITTEE ON PUBLIC SERVICES

- c. Notice from the State of Michigan Public Service Commission of a public hearing for the electric customers of Consumers Energy Company Case U-15415 to be held on November 21, 2007

RECEIVED AND PLACED ON FILE

- d. Letter from the State of Michigan Department of Environmental Quality providing notice of an application for a permit filed by the Lansing Parks and Recreation Department to remove an existing gabion wall, install sheet piling, construct a concrete fishing pad, repair an asphalt trail and replace a railing along the Grand River for the purpose of restoring a stable river bank and trail where a failing gabion wall has undermined the recreational trail

REFERRED TO THE MAYOR AND REFERRED TO THE COMMITTEE ON PUBLIC SERVICES

- e. Letter from Ingham County Treasurer's Office, submitting the 2007 Property Foreclosure List and proposed Resolution objecting the transfer of property

REFERRED TO THE CITY ASSESSOR AND REFERRED TO THE TREASURY DEPARTMENT AND REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

- f. Letters from Comcast Cable re:

- i. Notice of changes to its late fees effective January 1, 2008

RECEIVED AND PLACED ON FILE

- ii. Closing of the Public Access Studio located at 1401 E. Miller Rd. on December 14, 2007

REFERRED TO THE CITY ATTORNEY

- g. Letter from Richard Bashore of Bashore/Marco Masonry, Inc. in opposition to a proposed prevailing wage, local preference ordinance

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

- h. Letter from Laurie Ann Walters of 2315 Devonshire Ave. requesting the hiring of Lansing area contractors to work on construction projects in the City

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

MOTION OF EXCUSED ABSENCE

By Councilmember Wood

To excuse Councilmembers Jeffries and Quinney from tonight's proceedings

Motion Carried

REMARKS BY COUNCILMEMBERS

Councilmember Dunbar addressed comments that have been made about housing developments throughout Lansing.

ADJOURNED TIME 4:07 P.M.

CHRIS SWOPE, CITY CLERK



**OFFICIAL PROCEEDINGS OF
THE CITY COUNCIL
CITY OF LANSING
PROCEEDINGS OF NOVEMBER 19, 2007**

City Council Chambers
Lansing, Michigan

The City Council of the City of Lansing met in regular session and was called to order at 7:00 p.m. by President Leeman.

PRESENT: Councilmembers Allen, Dunbar, Jeffries, Kaltenbach, Leeman, Matt, Wood

ABSENT: Councilmember Quinney

The Council observed a moment of Meditation followed by the Pledge of Allegiance led by President Leeman

APPROVAL OF MINUTES

By Councilmember Jeffries

To approve the printed Council Proceedings of November 15, 2007

Motion carried

SPECIAL CEREMONIES

- Special Ceremonies

1. Presentation; Lansing Community Micro-Enterprise Funds' Business Plan Development Training Program Graduates

Councilmember Wood said these individuals will start out as small businesses but will grow into large businesses.

Denise Peeks of the Micro-Enterprise Fund thanked the City Council for their continued support of this program.

Jerry Ambrose, Executive Assistant to the Mayor, congratulated the recipients for their success on behalf of Mayor Bernero.

Denise Peeks and Councilmember Wood introduced the following graduates and presented them with their certificates:

Kindra Jackson stated that she will be starting an Early Child Development program that will include many activities to help kids succeed in all areas.

Stephanie Matt stated that she will be opening a grocery store and deli in Old Town.

Marsha Page said that she will be starting "Blessed Assurance Home Care" facility.

Margaret Ross stated that she will be opening a Jewelry Design Store.

Denise Peeks stated that the following graduates could not be here this evening: Tammy Harris, Darrian Mendenhall, Tamiko Rothhorn, and Janet Skole.

2. Presentation; LPD Video Surveillance Camera Update

Police Chief Alley gave a detailed presentation and a live video feed of the surveillance camera that is located on top of the Arbaugh Building in Downtown Lansing.

There was a lengthy discussion regarding the placement of surveillance cameras in Lansing neighborhoods.

COUNCILMEMBERS' COMMENTS AND CITY CLERK'S ANNOUNCEMENTS:

Councilmember Kaltenbach thanked Officer Jason Block for the fine job that he does on behalf of the City.

Councilmember Dunbar announced the Neighborhood Watch Training Session at the South Precinct. She announced that the Mayor's Neighborhood Advisory Board has opened up the grant application process. She said that the Greater Lansing Housing Coalition will be offering assistance in writing the grants and to call 372-6290 for more information.

Councilmember Wood announced Churchill Downs Neighborhood Association meeting, the Baker-Donora Senior Thanksgiving, and the Colonial Village Neighborhood Association meeting.

Councilmember Allen stated that she will not be here at next week's meeting; she will out of town at a conference.

SPEAKER REGISTRATION FOR PUBLIC COMMENT

Clerk Swope announced that the public comment registration form(s) for those intending to address Council on legislative or City government matters will be collected and that only those persons who have fully completed the form(s) will be permitted to speak.

MAYOR'S COMMENTS

Mayor Bernero congratulated City Clerk Swope for his office's efficient work during the Election two weeks ago. He stated that he cannot remember receiving Election results so quickly. He spoke about the 23rd Annual Silver Bells in the City Celebration which took place this past Friday night in downtown Lansing. He stated that more than 100,000 people were on hand for the festivities, and downtown Lansing was in full holiday splendor. He stated that our Human Relations and Community Services Department, in partnership with the Greater Lansing African American Health Institute, hosted a Healthy Thanksgiving Summit at Westminster Presbyterian Church/Advent House Ministries this past Saturday. He spoke about several items on tonight's agenda dealing with economic development. He reminded everyone that the City of Lansing and the Board of Water and Light are having a friendly competition to see which organization can donate the most toys to the 60th annual Toys for Tots campaign. He stated that last week he helped dedicate the new statue of Ransom Eli Olds at the R.E. Olds Transportation Museum. He announced that we are extending fall leaf collection by one week. Normally the last day for leaf collection is the Friday of the week after Thanksgiving, which would be November 30. This year, due to the fact that many trees still have their leaves, we will be extending leaf collection until Friday, December 7. If you have any questions, please contact the City's Waste Reduction Services division at 483-4400.

SHOW CAUSE HEARINGS

- Comment on Scheduled Show Cause Hearings:

There were no Show Cause Hearings

PUBLIC COMMENT ON LEGISLATIVE MATTERS

• Public Comment on Legislative Matters:

Legislative Matters included the following public hearings:

1. In consideration of IDD-2-2007, Application for Industrial Development District (IDD) filed by S&S Die Company for property located at 2727 Lyons Ave.
2. In consideration of the transfer of IFT-01-07 from 312 Spring St. to 2727 Lyons Ave.; Application for an Industrial Facilities Tax Exemption Certificate filed by S & S Die Company
3. In consideration of SLU-3-2007; 209 N. Walnut St., request for a Special Land Use Permit filed by Samina Shahabuddin to utilize a portion of the building at 209 N. Walnut St. for church services
4. In consideration of an Obsolete Property Rehabilitation Act (OPRA) District Application filed by The Gillespie Company, L.L.C. on behalf of Michigan Avenue Investors, LLC for property located at 1609-1615 E. Michigan Ave.
5. In consideration of Z-7-2007; 1030 S. Holmes St., a request filed by Spartan Internet Consultants Corporation for rezoning from "B" Residential to "D-1" Professional Office District to permit the conversion of the former Holmes Street School to offices for Spartan Internet Consultants Corporation
6. In consideration of a Request for a Waiver of the Provisions of the Noise Ordinance contained in Chapter 654 of the Code of Ordinances filed by the City of Lansing Public Service Department to permit the contractor to work Monday through Friday from 8:00 a.m. to 10:00 p.m. and Saturdays from 8:00 a.m. to 8:00 p.m. while conducting construction activities on Grand Ave. and Walnut St., and on Sundays from 8:00 a.m. to 5:00 p.m., specifically while conducting construction activities on Grand Ave. in the CSO Downtown 2008/Grand Ave.-Walnut St. Project Area during the 2008 construction season
7. In consideration of a Request for a Waiver of the Provisions of the Noise Ordinance contained in Chapter 654 of the Code of Ordinances filed by the City of Lansing Public Service Department to permit the contractor to work Monday through Friday from 8:00 p.m. to 10:00 p.m. and Saturdays from 8:00 a.m. to 8:00 p.m. while conducting construction activities on all streets within the project area, and on Sundays from 8:00 a.m. to 5:00 p.m., specifically while conducting construction on N. East St. in the CSO 013 Northeast Project area during the 2008 and 2009 construction seasons
8. In consideration of a Request for a Waiver of the Provisions of the Noise Ordinance contained in Chapter 654 of the Code of Ordinances filed by the City of Lansing Public Service Department to permit the contractor to work Monday through Friday from 8:00 p.m. to 10:00 p.m. and Saturdays from 8:00 a.m. to 8:00 p.m. while conducting construction activities on all streets within the project area, and on Sundays from 8:00 a.m. to 5:00 p.m., specifically while conducting construction on Larch St. and Cedar St. in the CSO 018 Southwest Project Area during the 2008 and 2009 construction seasons
9. In consideration of a Request for a Waiver of the Provisions of the Noise Ordinance contained in Chapter 654 of the Code of Ordinances filed by the City of Lansing Public Service Department to permit the contractor to work Monday through Friday from 8:00 p.m. to 10:00 p.m. and Saturdays from 8:00

a.m. to 8:00 p.m. in the CSO 034A Project Area during the 2008 and 2009 construction seasons

10. In consideration of a Request for a Waiver of the Provisions of the Noise Ordinance contained in Chapter 654 of the Code of Ordinances filed by the City of Lansing Public Service Department to permit the contractor to work Monday through Friday from 8:00 p.m. to 10:00 p.m. and Saturdays from 8:00 a.m. to 8:00 p.m. while conducting construction activities on all streets within the project area, and on Sundays from 8:00 a.m. to 5:00 p.m., specifically while conducting construction on Larch St. in the CSO 045 Project Area during the 2008 and 2009 construction seasons

Vice President Jeffries gave a brief overview of Public Hearings 1 - 5.

Councilmember Kaltenbach gave a brief overview of Public Hearings 6 - 10.

Adam Pitcher of 1052 Parker St. spoke in support of the rezoning request for the Holmes Street School building.

Ryan Vartoogian of 115 W. Allegan St. spoke in support of the rezoning request for Holmes Street School for Spartan Internet Consultants.

John Pollard of 1718 Blair St. spoke in opposition to the IDD and IFT for S&S Die Company. He spoke in support of the SLU request for Walnut Street. He spoke in opposition to all the noise waiver requests.

Darnell E. Oldham Sr. of 3815 Berwick Dr. spoke about concerns that he has with the requests for S&S Die Company. He spoke in support of the SLU request.

Frank S. Curtis X of 1137 West Allegan St. spoke about concerns with the request for Spartan Internet Consultants and the jobs that they say they will bring to Lansing. He asked how someone applies for those jobs.

Rick Preuss of 221 E. Middle St., Williamston, spoke about concerns that he has with the CSO work that will be done in front of his business in the upcoming years.

Charlene Decker of 2711 Pleasant Grove Rd. spoke in opposition to the noise waivers.

Don Dean of 1321 E. North St. spoke in opposition to all the noise waivers.

David Lambert of 1106 Walsh St. spoke in support of the rezoning request filed by Spartan Internet Consultants.

Sally Kikkert of 323 N. Walnut St., Apt. 407 spoke about concerns that she has with the noise waivers.

Jim Froehlich, Representative of CATA, thanked the Public Service Department and the Transportation Department for their help with providing information to CATA during this year's construction season.

REFERRAL OF PUBLIC HEARINGS

1. In consideration of IDD-2-2007, Application for Industrial Development District (IDD) filed by S&S Die Company for property located at 2727 Lyons Ave.

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

2. In consideration of the transfer of IFT-01-07 from 312 Spring St. to 2727 Lyons Ave.; Application for an Industrial

Facilities Tax Exemption Certificate filed by S & S Die Company

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

3. In consideration of SLU-3-2007; 209 N. Walnut St., request for a Special Land Use Permit filed by Samina Shahabuddin to utilize a portion of the building at 209 N. Walnut St. for church services

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

4. In consideration of an Obsolete Property Rehabilitation Act (OPRA) District Application filed by The Gillespie Company, L.L.C. on behalf of Michigan Avenue Investors, LLC for property located at 1609-1615 E. Michigan Ave.

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

5. In consideration of Z-7-2007; 1030 S. Holmes St., a request filed by Spartan Internet Consultants Corporation for rezoning from "B" Residential to "D-1" Professional Office District to permit the conversion of the former Holmes Street School to offices for Spartan Internet Consultants Corporation

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

6. In consideration of a Request for a Waiver of the Provisions of the Noise Ordinance contained in Chapter 654 of the Code of Ordinances filed by the City of Lansing Public Service Department to permit the contractor to work Monday through Friday from 8:00 a.m. to 10:00 p.m. and Saturdays from 8:00 a.m. to 8:00 p.m. while conducting construction activities on Grand Ave. and Walnut St., and on Sundays from 8:00 a.m. to 5:00 p.m., specifically while conducting construction activities on Grand Ave. in the CSO Downtown 2008/Grand Ave.-Walnut St. Project Area during the 2008 construction season

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

7. In consideration of a Request for a Waiver of the Provisions of the Noise Ordinance contained in Chapter 654 of the Code of Ordinances filed by the City of Lansing Public Service Department to permit the contractor to work Monday through Friday from 8:00 p.m. to 10:00 p.m. and Saturdays from 8:00 a.m. to 8:00 p.m. while conducting construction activities on all streets within the project area, and on Sundays from 8:00 a.m. to 5:00 p.m., specifically while conducting construction on N. East St. in the CSO 013 Northeast Project area during the 2008 and 2009 construction seasons

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

8. In consideration of a Request for a Waiver of the Provisions of the Noise Ordinance contained in Chapter 654 of the Code of Ordinances filed by the City of Lansing Public Service Department to permit the contractor to work Monday through Friday from 8:00 p.m. to 10:00 p.m. and Saturdays from 8:00 a.m. to 8:00 p.m. while conducting construction activities on all streets within the project area, and on Sundays from 8:00 a.m. to 5:00 p.m., specifically while conducting construction on Larch St. and Cedar St. in the CSO 018 Southwest Project Area during the 2008 and 2009 construction seasons

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

9. In consideration of a Request for a Waiver of the Provisions of the Noise Ordinance contained in Chapter 654 of the Code of Ordinances filed by the City of Lansing Public Service Department to permit the contractor to work Monday through Friday from 8:00 p.m. to 10:00 p.m. and Saturdays from 8:00 a.m. to 8:00 p.m. in the CSO 034A Project Area during the 2008 and 2009 construction seasons

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

10. In consideration of a Request for a Waiver of the Provisions of the Noise Ordinance contained in Chapter 654 of the Code of Ordinances filed by the City of Lansing Public Service Department to permit the contractor to work Monday through Friday from 8:00 p.m. to 10:00 p.m. and Saturdays from 8:00 a.m. to 8:00 p.m. while conducting construction activities on all streets within the project area, and on Sundays from 8:00 a.m. to 5:00 p.m., specifically while conducting construction on Larch St. in the CSO 045 Project Area during the 2008 and 2009 construction seasons

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

**PUBLIC COMMENT
ON CITY GOVERNMENT RELATED MATTERS:**

Melissa Dey Hasbrook of 338 N. Magnolia Ave. spoke about violence against women.

Jessica Narodowicz of 130 E. Reasoner St. spoke about alleged problems with a neighbor.

William Hubbell of 3916 Wedgewood Dr. spoke about concerns with the City Council's procedures.

John Brady of 614 W. Northrup St. spoke about the proposed work on Northrup St.

Dale Abronowitz of 1811 Sunset Ave. spoke about various city matters.

Manuela Kress of 1712 E. Michigan Ave. spoke about the Women's Center and the need to help the homeless.

Van Frazee of 100 W. Northrup St. spoke about the proposed project for Northrup St. He also spoke about the noise waiver for Prospect St.

Cherryl Valleau of 226 S. 8th St. spoke about the proposed surveillance cameras that are being placed throughout the City.

Gary Bodiford of 1120 N. Jenison St. spoke about various city matters.

Ted Boettcher of 320 W. Northrup St spoke about the proposed Northrup St. project.

Scott Gillespie of 7240 Farm Hill Dr. spoke in support of the Michigan Ave. OPRA request.

John Pollard of 1718 Blair St. spoke about various city matters.

Darnell E. Oldham Sr. of 3815 Berwick Dr. spoke about various city matters.

Frank S. Curtis X of 1137 West Allegan St. spoke about various city matters.

Joel Wiese of 311 Strathmore Rd. spoke about the Lansing City Market redevelopment.

Don Dean of 1321 E. North St. spoke about various city matters.

David Lambert of 1106 Walsh St. spoke about the surveillance cameras.

Rick Preuss of 221 E. Middle St. spoke about the surveillance cameras.

Willy Williams of P O Box 11042 spoke about various city matters.

Charlene Decker of 2711 Pleasant Grove Rd. spoke about various city matters.

LEGISLATIVE MATTERS RESOLUTIONS

RESOLUTION#455

BY COUNCILMEMBER BILL MATT

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Anne Wilson is a lifetime resident of Lansing, a graduate of Everett High School, and earned her degree in journalism from Michigan State University; and

WHEREAS, she has been a resident of Colonial Village since 1996 and served as Vice President of the Colonial Village Neighborhood Association for six years; and

WHEREAS, Anne's community spirit became readily apparent to the members of the Colonial Village Neighborhood Association (CVNA) through her regular attendance at monthly meetings and her eagerness to help with projects and events; and

WHEREAS, her continued devotion and strong leadership has made the Colonial Village Neighborhood Association one of the most successful Associations in Lansing; and

WHEREAS, Anne's role in her community extends beyond her position as Vice President of the Colonial Village Neighborhood Association, to include serving as the CVNA's Media Coordinator, Chair of the Annual Christmas Lights Contest, the Hospitality Committee and the Neighborhood-wide Garage Sale, Master of Ceremony for the Meet the Candidates Night Event, and other CVNA activities; and

WHEREAS, Anne also serves on the Coordination Committee for CVNA's Annual Picnic, Garden Committee, and Open House events and served on the City Council's Southside Community Center Committee, the Elmhurst PTA, the Colonial Village CSO Project Committee, and the Health and Safety Committee; and

WHEREAS, inspired by her interest in Civil War history, Anne is active in Historical groups in both Michigan and North Carolina and sends care packages and cards to friends serving in the military; and

WHEREAS, Anne's humanitarianism extends beyond her own backyard and is shown through her contributions to the City Rescue Mission with their fall backpack program for kids in need and her service as a youth mentor; and

WHEREAS, Anne's many years of dedication and devotion to the City of Lansing and the community at-large are a testament to the loving character her neighbors, friends and family have known and appreciated; and

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, extends its warmest "thank you" to Anne Wilson for her tireless contributions to the City of Lansing and its residents. Your giant heart warms us all!

By Councilmember Matt

Motion Carried

REPORTS FROM COUNCIL COMMITTEES

There were no Committee Reports

ORDINANCES FOR INTRODUCTION

There were no Ordinances for Introduction

ORDINANCES FOR PASSAGE

There were no Ordinances for Passage

REPORTS FROM CITY OFFICERS, BOARDS, AND COMMISSIONS; COMMUNICATIONS AND PETITIONS; AND OTHER CITY RELATED MATTERS

By Councilmember Jeffries that all items be considered as being read in full and that President Leeman make the appropriate referrals

Motion Carried

• Reports from City Officers, Board and Commissions:

- a. Letter from the City Clerk submitting the proposed City Council meeting schedule for 2008

REFERRED TO THE COMMITTEE OF THE WHOLE

- b. Letter from the City Clerk submitting minutes of Boards and Authorities placed on file in the City Clerk's Office

RECEIVED AND PLACED ON FILE

- c. Letter from the City Attorney re: Josette Tucker, PR of Estate of Jeanette Collins v CATA and City of Lansing

RECEIVED AND PLACED ON FILE

- d. Letters from the Mayor re:

i. Appointments to the Board of Ethics:

- Pastor Robert Nicholson for a Term to Expire June 30, 2010
- Paul Teszlewicz for a Term to Expire June 30, 2011

RECEIVED AND PLACED ON FILE

- ii. Resignation of Santiago Rios from the Board of Water and Light Board of Commissioners

RECEIVED AND PLACED ON FILE

- iii. Resignation of Frank Lain from the Board of Zoning Appeals

RECEIVED AND PLACED ON FILE

• Communications and Petitions, and Other City Related Matters:

- a. Letter from the State of Michigan Department of Labor & Economic Growth Liquor Control Commission providing a 15 Day Notice of an application filed by Muhammad T. Jat and Ghulam Jaffar Kang requesting to drop Muhammad T. Jat as partner with Ghulam Jaffar Kang on 2007 SDM licensed business located at 916 E. Grand River Ave.

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

- b. Letter from the State of Michigan Department of Treasury providing notice of the issuance of a new Personal

Property Tax Exemption Certificate to TechSmith Corporation for property located at Parcels B&D, University Corporate Research Park

REFERRED TO THE PLANNING AND DEVELOPMENT DEPARTMENT AND REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

- c. Notice of Intent filed by Grand River Tower LLC to develop the Capitol Club Tower Condominium located in the 200 block of S. Grand Ave.

REFERRED TO THE PLANNING AND DEVELOPMENT DEPARTMENT AND REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

- d. Statement of Position Concerning Invalidity of Proposed City of Lansing Prevailing Wage Ordinance submitted by Associated Builders & Contractors of Michigan

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

- e. Letter from the Ingham County Clerk submitting a Resolution authorizing the appointment of the adult program and business community representatives to the Ingham County/City of Lansing Community Corrections Advisory Board

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

- f. Letter from James L. Herbert of Neogen Corporation stating concerns with proposed changes to traffic controls at Jerome St. and Marshall St.

REFERRED TO THE TRANSPORTATION DIVISION AND REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

- g. Application for Community Funding filed by Sagamore Hill Neighborhood Association for their Christmas Dinner to be held December 12, 2007

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

- h. Letter from Sally Kikkert, no address given, in opposition to a Noise Ordinance Waiver for the 2008 construction season

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

MOTION OF EXCUSED ABSENCE

By Councilmember Allen

To excuse Councilmember Quinney from tonight's proceedings

Motion Carried

REMARKS BY COUNCILMEMBERS

President Leeman stated that City Hall will be closed this Thursday and Friday in observance of the Thanksgiving Day holiday.

**REMARKS BY THE MAYOR
OR EXECUTIVE ASSISTANT**

Jerry Ambrose, Executive Assistant to the Mayor, addressed some comments that were made by speakers regarding surveillance cameras. He addressed comments that were made about the superintendent of the Wastewater Treatment Plant's departure from the City.

ADJOURNED TIME 10:13 P.M.

CHRIS SWOPE, CITY CLERK



**OFFICIAL PROCEEDINGS OF
THE CITY COUNCIL
CITY OF LANSING
PROCEEDINGS OF NOVEMBER 26, 2007**

City Council Chambers
Lansing, Michigan

The City Council of the City of Lansing met in regular session and was called to order at 7:00 p.m. by President Leeman.

PRESENT: Councilmembers Dunbar, Jeffries, Kaltenbach, Leeman, Matt, Quinney, Wood

ABSENT: Councilmember Allen

The Council observed a moment of Meditation followed by the Pledge of Allegiance led by President Leeman

CONSIDERATION OF LATE ITEMS

By Vice President Jeffries

To suspend City Council Rule #11 to allow for Consideration of Late Items

Motion carried

The following items were added to the agenda:

1. From Councilmember Wood; Introduction of an Ordinance of the City of Lansing to amend Chapter 294, Section 294.02(c) of the Lansing Codified Ordinances to authorize the Mayor to designate a person to act on his behalf as a member of the Police and Fire Retirement System Board
2. From Councilmember Wood; Introduction of an Ordinance of the City of Lansing to amend Chapter 292, Section 292.04 of the Lansing Codified Ordinances to authorize the Mayor to designate a person to act on his behalf as a member of the Employees' Retirement System Board
3. From Councilmember Wood; Petition containing eighty (80) signature in opposition to Public Improvement I; Curb and Gutter, Sidewalk and necessary Storm Drainage Facilities on Northrup St., from Washington Ave. to Cedar St.
4. From Councilmember Wood; Letter from Bill Brandon of 817 S. Dexter Dr. requesting an extension of fall leaf collection by the City's Waste Reduction Services
5. From Councilmember Kaltenbach; Recommending Adoption of an Ordinance of the city of Lansing, Michigan, to add chapter 1023 et seq. of the Lansing codified ordinances to promote and protect the public health, safety and welfare and exercise reasonable control over the public right-of-way by regulating the use and occupation of such right-of-way by video service providers who have a standardized, uniform franchise but who lack a metro act permit from the city
6. From Councilmember Kaltenbach; Adoption of an Ordinance of the city of Lansing, Michigan, to add chapter 1023 et seq. of the Lansing codified ordinances to promote and protect the public health, safety and welfare and exercise reasonable control over the public right-of-way by regulating the use and occupation of such right-of-way by video service providers who have a standardized, uniform franchise but who lack a

metro act permit from the city

7. From Councilmember Dunbar; Letter from Kathy Tobe, President of Churchill Downs Community Association in support of the use of surveillance camera in the City
8. From Councilmember Jeffries; Letter from Britt Chapman of Brooklyn Heights, OH regarding the issuance of orders for Make Safe or Demolish to the owners of property located at 835 May St.
9. From Councilmember Leeman; Presentation; LPD Video Surveillance Camera Update

SPECIAL CEREMONIES

• Special Ceremonies

1. Presentation; Recognition of Lansing Economic Development Corporation / Lansing Brownfield Rehabilitation Authority / Tax Increment Finance Authority (EDC/LBRA/TIFA) Board of Directors

Mayor Bernero introduced Kim Coleman, Chairperson, Bo Garcia, Vice Chair (not present), board members James Butler, Kelly Rossman McKinney, Greg Ward, Calvin Jones and Jeff Williams, Councilmember Brian Jeffries, and Bob Trezise, Ex-Officio member of the Economic Development Corporation Board

Mayor Bernero stated that over the past two years, under the direction of Bob Trezise, our own "Wizard of Jobs," the Lansing Economic Development Corporation has leveraged more than a half-billion dollars in new investment in our City.

He stated that the 68 new development and business expansion projects quarterbacked by our Economic Development Corporation have retained more than 1,700 jobs and will lead to the creation of nearly 3,000 additional new jobs in Lansing.

He said there is no doubt that Lansing is on the move, and that we owe much of our success to the tremendous efforts and talents of our Economic Development Corporation President and his staff. We also owe a debt of gratitude to our Economic Development Corporation Board, who are being honoring tonight.

Bob Trezise, President of Economic Development Corporation, thanked the Mayor and Council for all of their support. He thanked the board members for everything that they have done and the amount of hours that they have put in supporting all the projects.

Kim Coleman, Chairperson Economic Development Corporation Board, thanked the Mayor for this honor. She said she is looking forward to the future of Lansing.

2. Presentation; LPD Video Surveillance Camera Update

Chief Mark Alley, Lansing Police Department, gave an in-depth discussion on how neighborhoods were chosen for surveillance cameras. He spoke in detail about how the cameras will be monitored and by whom.

**COUNCILMEMBERS' COMMENTS
AND CITY CLERK'S ANNOUNCEMENTS:**

Councilmember Quinney announced that the Friendship Baptist Church is offering a gift wrapping program on Saturdays from now until December 22, 2007. He wished his wife a very happy 32nd Anniversary.

Councilmember Dunbar announced that the Cadillac Club will be hosting a fashion show for the March of Dimes. She stated that Lewton/Rich will be meeting to discuss the street expansion along Moores River Drive. She announced the Sagamore Hill monthly meeting and the Eastside Neighborhood Organization meeting. She stated that Palmer Bush Jenison will be hosting their annual remembrance service.

President Leeman announced the Northtown Meeting.

City Clerk Swope spoke about the January 15, 2008 Presidential Primary Election. He stated that the Absentee Ballot applications will be going out this week to those voters on the permanent list. He said that on the application voters will have to mark which political party's ballot they would like to receive because there are two separate ballots for this election. Ballots should arrive in his office within the next couple of weeks.

SPEAKER REGISTRATION FOR PUBLIC COMMENT

Clerk Swope announced that the public comment registration form(s) for those intending to address Council on legislative or City government matters will be collected and that only those persons who have fully completed the form(s) will be permitted to speak.

MAYOR'S COMMENTS

Mayor Bernero Hoped everyone enjoyed the Thanksgiving holiday. He encouraged our City employees and all Lansing residents to donate a new, unwrapped gift to the Toys for Tots campaign, now in its 60th year. Donation boxes are located in the lobby of City Hall and on the Ninth Floor. He stated that we are in the midst of the City's 2007 United Way campaign and asked citizens to help us meet or beat our fundraising goal by making a contribution. He spoke about the long list of economic development projects that are on tonight's agenda and how they are critical to growing Lansing's economy, encouraging new investments and creating new jobs for our residents. He spoke about tonight's public hearing on the proposed Conditional Zoning Ordinance. He announced that on Thursday, November 29, he will be at the Potter Park Zoo for the kickoff of the annual Wonderland of Lights, which runs from November 29 until December 30. The hours are from 5 p.m. until 8 p.m., Thursday through Sunday. On Fridays and Saturdays from 6 p.m. until 8 p.m. there will be cookie decorating and storytelling. Also on Fridays and Saturdays until December 22, Santa and Mrs. Claus will be on hand from 5 until 8 p.m. On Thursdays and Sundays there will be a craft table and face stenciling. On Saturday, December 15 there will be Breakfast with Santa at 8:30 and 10:30 a.m. For more information, call 702-4730 or visit the zoo website at www.potterparkzoo.org. He reminded residents that the City's leaf collection service has been extended by one week. Normally, leaf collections would stop this Friday, November 30. Because the leaves fell a bit late this year, we are extending leaf pickup until Friday, December 7. If you have questions, please contact Waste Reduction Services at 483-4400.

SHOW CAUSE HEARINGS

• Comment on Scheduled Show Cause Hearings:

1. In consideration of the issuance of orders for Make Safe or Demolish to the owners of property located at 1120 N. Walnut St.
2. In consideration of the issuance of orders for Make Safe or Demolish to the owners of property located at 835 May St.

Councilmember Kaltenbach gave a brief overview of the two properties.

Anne Smiley of 423 W. Grand River Ave. spoke in support of the

property on Walnut being taken down.

*SUSPENSION ITEM –City Clerk Swope announced that the letter from Britt Chapman of Brooklyn Heights, OH regarding the issuance of orders for Make Safe or Demolish to the owners of property located at 835 May St. would be made part of the Show Cause Hearing record.

REFERRAL OF SHOW CAUSE HEARINGS

1. In consideration of the issuance of orders for Make Safe or Demolish to the owners of property located at 1120 N. Walnut St.

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

2. In consideration of the issuance of orders for Make Safe or Demolish to the owners of property located at 835 May St.

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

PUBLIC COMMENT ON LEGISLATIVE MATTERS

• Public Comment on Legislative Matters:

Legislative Matters included the following public hearings:

1. In consideration of the proposed sale of the Parking Lot 18 property in the 200 block of S. Grand Ave.
2. In consideration of the proposed sale of the South Grand Parking Ramp in the 100 and 200 blocks of S. Grand Ave.
3. In consideration of an Ordinance of the City of Lansing for a Proposed Zoning Ordinance Amendment for Conditional Zoning
4. In consideration of an Ordinance to exercise reasonable control over the public right-of-way by regulating the use and occupation of such right-of-way by video service providers who have a standardized, uniform franchise but who lack a metro act permit from the city

Vice President Jeffries gave a brief overview of Public Hearings #1 – #3

Councilmember Kaltenbach gave a brief overview of Public Hearing #4

Bob Johnson, Director of Lansing's Department of Planning and Neighborhood Development, gave additional information regarding the Capitol Club Tower Public Hearing.

Shawn Gillespie, spoke in support of the Capitol Club Tower project. He gave additional information on the project.

Alan Brewer spoke in support of the Capitol Club Tower project.

There was a very lengthy discussion regarding the Capitol Club Tower project.

Bob Gray of 422 Dadson Dr. spoke about concerns that he has with the Capitol Club Tower project.

Ryan Vartoogian of 115 W. Allegan St. spoke in support of the Spartan Internet Consulting project.

Kevin Green of 401 S. Washington Sq. spoke in support of Spartan Internet. He spoke in support of the Capitol Club Tower project.

Carl Calille of 306 Harriet Ave. spoke in opposition to the sale of the

parking ramp.

Jeff Backus of 2309 Lyman Dr. spoke in support of the sale of the properties for the Capitol Club Tower project.

Bruce Burgess of 15935 Lake Ave. spoke in support of the Capitol Club Tower project.

John Pollard of 1718 Blair St. spoke in opposition to the amendment to the Zoning Ordinance. He spoke in opposition to the Riverbend / Whitehall project.

Darnell E. Oldham Sr. of 3815 Berwick Dr. asked for some additional information regarding the Capitol Club Tower project. He questioned how the Riverbend/Whitehall project got started.

Christine Timmon of 2519 S. Washington Ave. spoke about concerns with the Capitol Club Tower project.

Stan Shuck of 818 Cooper Ave. spoke about concerns with the sale of the parking ramp.

David Pierson of 1305 S. Washington Ave. spoke in support of the amendment to the Zoning Ordinance.

Charlene Decker of 2711 Pleasant Grove Rd. questioned if the Fire Department has the proper equipment to use in case a fire was to occur at the Capitol Club Tower since it will be a high rise building.

Don Dean of 1321 E. North St. spoke about the need for a stop sign on Madison as opposed to a yield sign.

REFERRAL OF PUBLIC HEARINGS

1. In consideration of the proposed sale of the Parking Lot 18 property in the 200 block of S. Grand Ave.

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

2. In consideration of the proposed sale of the South Grand Parking Ramp in the 100 and 200 blocks of S. Grand Ave.

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

3. In consideration of an Ordinance of the City of Lansing for a Proposed Zoning Ordinance Amendment for Conditional Zoning

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

4. In consideration of an Ordinance to exercise reasonable control over the public right-of-way by regulating the use and occupation of such right-of-way by video service providers who have a standardized, uniform franchise but who lack a metro act permit from the city

THIS ITEM WAS ACTED UPON TONIGHT

PUBLIC COMMENT ON CITY GOVERNMENT RELATED MATTERS:

Gary Casteel of 4424 Barclay Place spoke about surveillance cameras.

Crystal Maneval of 4200 S. Pennsylvania Ave. spoke about surveillance cameras.

William Hubbell of 3916 Wedgewood Dr. spoke about how times are changing in the city.

Pattie Smith of 1124 W. Edgewood Blvd. spoke about the need for a bus stop on Edgewood Blvd.

Ted Boettcher of 320 W. Northrup St. spoke about the proposed project for Northrup St.

Walter Brown of 1310 Knollwood Dr. spoke about surveillance cameras.

Gary Bodiford of 1120 N. Jenison St. spoke about various city matters.

Bob Gray of 422 Dadson Dr. spoke about various city matters.

Frank S. Curtis X of 1137 West Allegan St. spoke about various city matters.

Julie Teed of 5812 Richwood St. spoke about the surveillance cameras.

Stan Shuck of 818 Cooper Ave. spoke about various city matters.

A Mrs. Wilson, no address given, spoke about neighborhood watch programs.

Darla Artuso of 4590 Seaway Dr. spoke about surveillance cameras.

Robert Noordhoek of 3640 Sawgrass Circle spoke about surveillance cameras.

Paul Carrier of 3721 Sumpter St. spoke about surveillance cameras.

Willy Williams of P O Box 11042 spoke about various city matters.

Samuel Horton of 3321 Hepfer Dr. spoke about surveillance cameras.

John Pollard of 1718 Blair St. spoke about various city matters.

Christine Timmon of 2519 S. Washington Ave. spoke about various city matters.

Virginia Humble of 604 E. Fredrick St. spoke about various city matters.

Willie Hobbs of 5017 S. Conners Ave spoke about city matters.

Charlene Decker of 2711 Pleasant Grove Rd. spoke about various city matters.

Don Dean of 1321 E. North St. spoke about various city matters.

Anne Hodges of 203 Reasoner St. spoke about various city matters.

LEGISLATIVE MATTERS RESOLUTIONS

RESOLUTION#456

BY THE COMMITTEE ON DEVELOPMENT AND PLANNING
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

S&S Die Company

WHEREAS, the City of Lansing received and filed a request from S&S Die Company, to create Lansing Industrial Development District (IDD-2-07), pursuant to Public Act 198 of 1974, as amended, on property more fully described in this resolution; and

WHEREAS, a public hearing on the creation of I DD-2-07 was held on the 19th day of November, 2007, at which time all interested persons, residents and taxpayers had an opportunity to appear and be heard and make any objection they may have to the proposed District; and

WHEREAS, S&S Die Company has met all the requirements for the creation of IDD-2-07, as required by Public Act 198 of 1974, as amended, and by the policies of this Council;

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Lansing hereby approves the request and creates IDD-2-07 from property described as follows:

COM 521 FT N OF SE COR SOUTH PARKWOOD SUB, TH E 836.1 FT, N 309.1 FT TO WLY LINE CONSUMERS POWER COR/W, NWLY ALONG SAID R/W 290.1 FT TO E&W 1/4 LINE, W ON 1/4 LINE 754 FT TO E LINE SOUTH PARKWOOD SUB, S 581.55 FT TO BEG; SEC 27 T4N R2W

BE IT FINALLY RESOLVED, this Resolution shall not be construed as the City Council's approval of any future tax abatement certificate application of 1 S&S Die Company or any other applicant.

By Councilmember Jeffries

Motion Carried

RESOLUTION#457

BY THE PLANNING AND DEVELOPMENT COMMITTEE
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

S & S Die Company

WHEREAS, the Lansing City Council has created Lansing Industrial Development District (IDD-02-2007) on November 26, 2007 on the property located at 2727 Lyons in the City of Lansing, Michigan.

WHEREAS, the City of Lansing approved an application from S & S Die Company requesting an Industrial Facilities Exemption Certificate (IFT-01-07) for personal property investments located at 312 Spring St. pursuant to Public Act 198 of 1974, as amended; and

WHEREAS, S & S Die Company has submitted an application requesting of Industrial Facilities Exemption Certificate (IFT-01-07) Transfer from 312 Spring St. to property located at 2727 Lyons; and

WHEREAS, a public hearing was held November 19, 2007, on the Industrial Facilities Exemption Certificate (IFT-01-07) Transfer filed by S & S Die Company, at which all owners of real and personal property within IDD-01-2007, other City residents and taxpayers, the assessor and the representatives of the legislative body of each taxing unit that levies ad valorem taxes for the IDD-01-2007 area had the opportunity to appear and be heard; and

WHEREAS, S&S Die Company. has substantially met all of the requirements for said Exemption Certificate Transfer as required by Public Act 198 and by the policies of this Council;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council finds and determines that the granting of this Industrial Facilities Exemption Certificate for personal property under Public Act 198, shall not have the effect of substantially impeding the operation of the City of Lansing, nor impairing the financial soundness of any taxing unit which levies ad valorem taxes in the City of Lansing.

BE IT FURTHER RESOLVED that the Lansing City Council hereby approves the application of S & S Die Company for an Industrial Facilities Exemption Certificate Transfer (IFT-01-07), for personal property investments in the area of IDD-02-2007 legally described as:

COM 521 FT N OF SE COR SOUTH PARKWOOD SUB, TH E 836.1 FT, N 309.1 FT TO WLY LINE CONSUMERS POWER COR/W, NWLY ALONG SAID R/W 290.1 FT TO E&W 1/4 LINE, W ON 1/4 LINE 754 FT TO E LINE SOUTH PARKWOOD SUB, S 581.55 FT TO BEG; SEC 27 T4N R2W

for a period of (12) years, after project completion, provided that this resolution shall be effective upon the execution of a written Industrial

Facilities Exemption Certificate Agreement between S & S Die Company and the City of Lansing, in the form as filed with the City Clerk.

BE IT FINALLY RESOLVED that the Mayor, on behalf of the City, is authorized to execute the afore stated agreement, subject to prior approval thereof as to form by the City Attorney.

By Councilmember Jeffries

Motion Carried

RESOLUTION#458

BY THE COMMITTEE ON DEVELOPMENT AND PLANNING
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Mayor has requested confirmation of the reappointment of Grant Hiltz, 1016 Britten Ave., Lansing, Michigan 48910 to an At Large position on the Board of Zoning Appeals for a term to expire June 30, 2008.

WHEREAS, the Committee on Development and Planning met on November 21, 2007, and recommended confirmation of this reappointment.

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby confirms the Mayor's reappointment of Grant Hiltz, 1016 Britten Ave., Lansing, Michigan 48910 to an At Large position on the Board of Zoning Appeals for a term to expire June 30, 2008.

By Councilmember Jeffries

Motion Carried

RESOLUTION#459

BY THE COMMITTEE OF DEVELOPMENT AND PLANNING
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

SLU-3-2007

209 N. Walnut Street

Church in the "D-1" Professional Office District

WHEREAS, the applicant, Samina Shahabuddin, has requested a Special Land Use permit (SLU-3-07) to utilize a portion of the building at 209 N. Walnut Street for a church services; and

WHEREAS, the property is zoned "D-1" Professional Office District where churches are permitted subject to obtaining a special land use permit; and

WHEREAS, a review was completed by staff evaluating the character, location and impact this proposal would have on the surrounding area and the impact on the environment, utilities, services and compliance with the Zoning Code and objectives of the Comprehensive Plan; and

WHEREAS, the Planning Board held a public hearing on September 4, 2007 at which time the applicant spoke in favor of the request and one individual expressed concerns about the request; and

WHEREAS, the Planning Board (based upon testimony, evidence and the staff report) at its September 18, 2007 meeting, voted unanimously (4-0) to recommend approval of SLU-3-07 to permit church services in the building at 209 N. Walnut Street in the "D-1" Professional Office District, with certain conditions; and

WHEREAS, the City Council held a public hearing regarding SLU-3-07 on November 19, 2007; and

WHEREAS, the Committee on Development and Planning has reviewed the report and recommendation of the Planning Board and

concur therewith;

NOW THEREFORE BE IT RESOLVED that the Lansing City Council hereby approves SLU-3-07, for church services at 209 N. Walnut Street in the "D-1" Professional Office District with the following conditions:

1. The occupancy of the church is limited to 20 individuals, and
2. All church activities, meetings, classes and services occur only during those hours that the office uses in the building are not in operation.

BE IT FURTHER RESOLVED that this Special Land Use permit shall remain in effect only so long as the petitioner fully complies with this resolution, and if the petitioner fails to comply, the Special Land Use permit may be terminated by City Council Resolution.

BE IT FINALLY RESOLVED that in granting this request with two conditions, the City Council determines the following:

1. The proposed church is compatible with the essential character of the surrounding area, as designed.
2. The proposed church will not change the essential character of the surrounding area.
3. The proposed church will not interfere with the general enjoyment of adjacent properties.
4. The proposed church will not impact adjacent properties as it will not be detrimental to the use or character of the property under consideration and the surrounding area in general.
5. The proposed church will not impact the health, safety and welfare of persons or property in the surrounding area.
6. The proposed church can be adequately served by essential public facilities and services
7. The proposed church will not place any demands on public services and facilities in excess of current capacities.
8. The proposed church is consistent with the intent and purposes of the Zoning Code and in conformance with the master plan.
9. The proposed church will comply with the requirements of the "D-1" Professional Office District.

By Councilmember Jeffries

Motion Carried

RESOLUTION#460

BY THE COMMITTEE ON DEVELOPMENT AND PLANNING
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

Neighborhood Enterprise Zone Property Tax Abatement Certificate Approval for 203-205 S. Washington Square, Lansing.

WHEREAS, the proposed property is located within a Neighborhood Enterprise Zone established by resolution #193 adopted September 7, 1999; and

WHEREAS, an application was filed with the City of Lansing on August 17, 2007 by Jerome Abood, API Bull on the Boulevard, L.L.C. for a rehabilitation project located at 203-205 S. Washington Square (Parcel Code #33-01-01-16-404-011), Lansing, Michigan in Neighborhood

Enterprise Zone No. 10 Washington Square Area, requesting a rehabilitation certificate; and

WHEREAS, the primary use of the property following rehabilitation will be two loft housing rental units on the second floor; and

WHEREAS, the City wishes to encourage residential housing in areas that are economically distressed through the use of Public Act 147 of 1992 as amended and recognizes that use of the NEZ program is a vital resource to further the goals of creating residential opportunities and redevelopment in the City of Lansing's urban core areas and promoting new construction and rehabilitation of existing buildings for the purpose of creating unique residential housing; and

NOW, THEREFORE, BE IT RESOLVED, that the Lansing City Council acknowledges receipt of the application filed by Jerome Abood, API Bull on the Boulevard, L.L.C. for 203-205 S. Washington Square (Parcel Code: 33-01-01-16-404-011), Lansing, Michigan, and finds that it complies with the requirements of Public Act 147 of 1992 as amended.

BE IT FURTHER RESOLVED that City Council finds that the application meets the requirements necessary for approval of an NEZ Certificate so that it hereby approves the issuance of a Neighborhood Enterprise Zone Certificate for 203-205 S. Washington Square (Parcel Code: 33-01-01-16-404-011), Lansing, Michigan in Zone No. 10 Washington Square Area for a period not to exceed fifteen (15) years.

BE IT FINALLY RESOLVED, that the City Clerk provide three certified copies of this resolution to the Lansing Economic Development Corporation for submission of this action to the State Tax Commission.

By Councilmember Jeffries

Motion Carried

RESOLUTION#461

BY THE COMMITTEE ON DEVELOPMENT AND PLANNING
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

Obsolete Property Rehabilitation Act: 1609 East Michigan Ave.

WHEREAS, the prospective owner of property located at 1609 East Michigan Avenue in the City of Lansing, Michigan (the Property) has requested in writing that the City of Lansing establish an Obsolete Property Rehabilitation District (the District) as enabled by Public Act 146 of 2000, the Obsolete Property Rehabilitation Act (the Act), and

WHEREAS, the current owner is Michigan Avenue Investors, LLC, hereinafter called the Developer, and

WHEREAS, the owner is presently the legal owner of greater than fifty percent (50%) of all taxable value of the property located within the proposed District, and

WHEREAS, the owner has, in writing, requested the District for the Property and for the City of Lansing to take all necessary steps and actions to establish the District on their behalf, and

WHEREAS, the property in question and the proposed boundary of the District is legally described as:

LOTS 4, 7 & 8, ALSO S 9.17 FT LOT 3, W 27 FT OF S 85 F LOT 6 & N 63.5 FT LOTS 5 & 6 BLOCK 5 RUMSEYS MICHIGAN AVE ADD and,

WHEREAS, the Act requires that before establishing the District the Lansing City Council hold a public hearing in order to provide an opportunity for owners, residents or other taxpayers of the City of Lansing to appear and be heard regarding the establishment of the District and that said public hearing was held on November 19, 2007;

NOW THEREFORE BE IT RESOLVED that the following property is hereby approved and established as an Obsolete Property Rehabilitation District as provided by Public Act 146 of 2000:

LOTS 4, 7 & 8, ALSO S9.17 FT LOT 3, W 27 FT OF S 85 F LOT 6 & N 63.5 FT LOTS 5 & 6 BLOCK 5 RUMSEYS MICHIGAN AVE ADD and,

BE IT FINALLY RESOLVED that this resolution shall not be construed as the City Council's approval of any future application for an Obsolete Properties Rehabilitation Exemption Certificate for the Developer or any other applicant.

By Councilmember Jeffries

Motion Carried (Councilmember Kaltenbach voting Nay)

RESOLUTION#462

BY THE COMMITTEE ON DEVELOPMENT AND PLANNING
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

Neighborhood Enterprise Zone #22 – Kalamazoo Corridor

WHEREAS, the City of Lansing supports the efforts to improve and revitalize the downtown area through housing opportunities and the construction of new housing units in the area; and

WHEREAS, the Michigan Neighborhood Enterprise Zone Act, being Public Act 147 of 1992, was enacted to encourage new housing construction and the renovation of existing properties in older established cities of the State, including the City of Lansing, by allowing cities to grant certain tax abatements on specific residential properties located in designated districts; and

WHEREAS, the Mayor's Housing Task Force recognizes that an additional Neighborhood Enterprise Zone in the downtown is a vital resource to further the goals of creating residential opportunities and redevelopment in downtown and promoting new construction and renovation of existing buildings for the purpose of creating unique residential housing units; and

WHEREAS, an additional Neighborhood Enterprise Zone in the downtown area will assist property owners and developers in making much needed improvements, including housing rehabilitation and new construction; and

WHEREAS, P.A. 147 of 1992 requires that the City Assessor and each taxing unit receive notification of the City's intent to establish a Neighborhood Enterprise Zone not less than 60 days prior to the designation action and further requires the City to hold a public hearing on the establishment of a Neighborhood Enterprise Zone not later than 45 days after said notification to the Assessor and the taxing units;

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Lansing approves the boundaries for the new Neighborhood Enterprise Zone as depicted in the diagram filed with the City Clerk and as described below:

Riverbend-Whitehall, No. 22

Boundaries: Cedar Street to the West; Hosmer street to the East; the north line of parcels from 33-01-01-16-427 on the east and 33-01-01-15-309-102 on the west to the North; the south line of parcel 33-01-01-16-477-903; East Hillsdale Street, south line of parcel 33-01-01-15-351-011, and the south line of 33-01-01-15-351-051 to the South.

BE IT FURTHER RESOLVED that the City Clerk give the required 60 days notice of the intent to establish the zone to the City Assessor and all taxing units in each of the proposed Neighborhood Enterprise Zones of the City.

BE IT FINALLY RESOLVED that a public hearing be held in the City Council Chambers of the City of Lansing, 10th floor, Lansing City Hall, Lansing, Michigan, on December 3, 2007, at 7:00 p.m., and that the City

Clerk publish the requisite advanced notice of the hearing in a publication of general circulation in the City.

By Councilmember Jeffries

Motion Carried

RESOLUTION#463

BY COMMITTEE ON DEVELOPMENT AND PLANNING
RESOLVED BY THE CITY COUNCIL OF THE CITY OF
LANSING

RESOLUTION TO ESTABLISH No. 21 Riverbend/Whitehall NEIGHBORHOOD ENTERPRISE ZONE

WHEREAS, the City of Lansing continues to promote the effort to improve neighborhoods by encouraging the rehabilitation of existing housing, promoting home ownership and facilitating construction of new housing units in the City; and

WHEREAS, Public Act 147, 1992 of the State of Michigan, the Neighborhood Enterprise Zone Act, was enacted to encourage new housing construction and rehabilitation of existing housing units and structures in older established cities in the State, including the City of Lansing, by allowing communities to grant tax abatement on specific residential properties located within districts which are designated by the community; and

WHEREAS, as required by P.A. 147 of 1992, the City Assessor and each taxing unit were notified on July 31, 2007 of the City's intent to establish a new Neighborhood Enterprise Zone, and that written notice was received not less than 60 days before the passage of a resolution for designation of a Neighborhood Enterprise Zone; and

WHEREAS, as required by P.A. 147 of 1992, prior to acting on this request, on August 13, 2007 a public hearing was held on the establishment of a new Neighborhood Enterprise Zone. The public hearing was held not later than 45 days after notification of the taxing units; and

WHEREAS, as required by P.A. 147 of 1992, the City Council has been furnished with the amount of the True Cash Value of the property located within the proposed Neighborhood Enterprise Zone as noted in a document titled "Neighborhood Enterprise Zone No. 21 Riverbend/Whitehall T.C.V.," as filed with the City Clerk;

NOW THEREFORE BE IT RESOLVED, that as required by P.A. 147 of 1992, the City Council makes the following findings:

- 1) The City Council has previously adopted a housing inspection code ordinance which meets the requirements of P.A. 147 of 1992.
- 2) The proposed Neighborhood Enterprise Zone is consistent with the area master plan, and the neighborhood preservation and economic development goals of the City.
- 3) The goals, objectives and policies prepared for the five-year U.S. Department of Housing and Urban Development Consolidated Plan and the *Goals & Objectives for the Twenty-first Century* as adopted by the City Council meet the intended goals, objectives and policy for the Neighborhood Enterprise Zones relative to the maintenance, preservation, improvement, and development of housing for all persons regardless of income level living within a Neighborhood Enterprise Zone.

BE IT FURTHER RESOLVED that the Lansing City Council approves the amended boundaries for the new Neighborhood Enterprise Zone as depicted in the diagram filed with the City Clerk and as described below:

Riverbend-Whitehall, No. 2

Boundaries: Main St. to the north, The Grand River to the south, Townsend St. to the West, and east line 33-01-01-21-203-903 of parcel to the East.

BE IT FURTHER RESOLVED that the Lansing City Council hereby establishes a Neighborhood Enterprise Zone with the intended purpose of promoting residential development, as listed by parcel number in said document titled "New Neighborhood Enterprise Zone Parcel Codes/Addresses, Zone 21, Riverbend/Whitehall" and as represented on the maps filed as "Attachment A" of said document, as filed with the City Clerk.

BE IT FURTHER RESOLVED that the administration through its contractual obligation with the Economic Development Corporation of the City of Lansing is authorized to implement the Neighborhood Enterprise Zone program in Zone 21, Riverbend/Whitehall in accordance with P.A. 147, of 1992.

BE IT FINALLY RESOLVED that the City Clerk forward three certified copies of this resolution to the Economic Development Corporation so that this action shall be filed with the State Department of Treasury.

By Councilmember Jeffries

Motion Carried (Councilmember Kaltenbach voting Nay)

RESOLUTION#464

BY THE PLANNING AND DEVELOPMENT COMMITTEE
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, pursuant to Public Act 328 of 1998, Barnes Aerospace has made Application for Exemption of New Personal Property (PPE-01-07) for an area commonly known as 5300 Aurelius Road which is contained within both the Lansing Brownfield Redevelopment Zone, established, by the Lansing City Council on August 18, 1997 pursuant to Act 381 of 1996, as amended, and

WHEREAS, prior to acting upon this request, the City desires to hold a public hearing on Barnes Aerospace's Application for Exemption of New Personal Property (PPE-01-07), to allow for all residents, taxpayers and other interested persons to appear and be heard;

NOW, THEREFORE, BE IT RESOLVED that a public hearing be held in the City Council Chambers of the City of Lansing, 10th Floor, Lansing City Hall, Lansing, Michigan, on the 3rd day of December, 2007 at 7:00 p.m., on the Barnes Aerospace application for New Personal Property Exemption on the following described property:

COM 1036.67 FT N OF E ¼ COR SEC 3, TH W 963.8 FT TO E'LY LINE CON RAIL R/W, NWLY ON R/W TO INTN S LINE OF N 753.9 FT NE ¼ SAID SEC, E TO E LINE SAID SEC, S TO BEG, EXC N 150 FT OF E 415 FT THEREOF; SEC T3N R2W; Commonly known as 5300 Aurelius Road, Lansing, Michigan,

and, that the City Clerk cause to be published in a publication of general circulation, giving notice of such hearing, and that the City Clerk also shall notify the Lansing City Assessor and the legislative body of each taxing unit that levies ad valorem property taxes in the eligible local assessing district in which the eligible district is located. Before acting on the resolution, the Lansing City Council shall afford an opportunity for all residents, taxpayers of the City of Lansing, other interested persons, including but not limited to the City Assessor and representatives of the affected taxing units, to appear and be heard on the approval of a New Personal Property Exemption (PPE-01-07).

By Councilmember Jeffries

Motion Carried

RESOLUTION#465

BY THE COMMITTEE ON PUBLIC SAFETY
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Ingham County Board of Commissioners has requested confirmation of the appointment of Jean K. Capriotti, 4205 Soahpoa Cir., Okemos, Michigan 48864 to the Adult Probation and Business Community Representatives to the Ingham County/City of Lansing Community Corrections Advisory Board; and

WHEREAS, the Committee on Public Safety met on November 21, 2007, and recommended confirmation of this appointment.

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby confirms the Ingham County Board of Commissioners appointment of Jean K. Capriotti, 4205 Soahpoa Cir., Okemos, Michigan 48864 to the Adult Probation and Business Community Representatives to the Ingham County/City of Lansing Community Corrections Advisory Board.

By Councilmember Kaltenbach

Motion Carried

RESOLUTION#466

BY THE COMMITTEE ON PUBLIC SAFETY
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Ingham County Board of Commissioners has requested confirmation of the appointment of Stephanie Musser, 13072 S. Wright Road, Eagle, Michigan 48822 to the Adult Probation and Business Community Representatives to the Ingham County/City of Lansing Community Corrections Advisory Board; and

WHEREAS, the Committee on Public Safety met on November 21, 2007, and recommended confirmation of this appointment.

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby confirms the Ingham County Board of Commissioners appointment of Stephanie Musser, 13072 S. Wright Road, Eagle, Michigan 48822 to the Adult Probation and Business Community Representatives to the Ingham County/City of Lansing Community Corrections Advisory Board.

By Councilmember Kaltenbach

Motion Carried

RESOLUTION#467

COMMITTEE ON PUBLIC SAFETY
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Transportation and Parking Office conducted a study of the roadway conditions to determine traffic control requirements at the intersection of Madison Street and Sycamore Street;

WHEREAS, based upon the results of this study, the Transportation Engineer forwarded a recommendation to install a yield sign on westbound Madison Street at the intersection of Sycamore Street;

WHEREAS, the Mayor concurs with the recommendation of the Transportation Engineer;

WHEREAS, the Committee on Public Safety reviewed the report and concurs with the recommendation of the Administration;

NOW, THEREFORE, BE IT RESOLVED, that the Lansing City Council approves Traffic Control Order No. 07-058, thereby authorizing the Transportation Engineer to install a yield sign on Madison Street at the intersection of Sycamore Street;

BE IT FINALLY RESOLVED that Traffic Control Order No. 07-058 shall become effective when signed by the Transportation Engineer and filed with the City Clerk and the appropriate signs are installed.

By Councilmember Kaltenbach

Motion Carried

THIS ITEM WAS RETURNED TO COMMITTEE

BY THE COMMITTEE ON PUBLIC SERVICES
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

PUBLIC IMPROVEMENT I

WHEREAS, the Public Service Department has established the need for construction of curb and gutter, sidewalk and the necessary storm drainage facilities on Northrup Street from Washington Avenue to Cedar Street; and

WHEREAS, the City Council has determined that this proposed public improvement will benefit especially to properties in the vicinity of the work to be done and that a benefit district pursuant to Chapter 1026 of the Lansing Code of Ordinances should be established to be specially assessed for the public improvement;

NOW, THEREFORE, BE IT RESOLVED that the City Council hereby determines it to be of a public necessity to construct the following public improvements: curb and gutter and the necessary storm drainage in Northrup Street from Washington Avenue to Cedar Street.

BE IT FURTHER RESOLVED that the cost of these improvements is to be financed by special assessments to the benefited property owners, and that the City's public share of the project shall be paid from FY08 Act 51 Road Funds and Federal Urban STP Funds.

BE IT FINALLY RESOLVED that the Department of Public Service is hereby authorized to prepare necessary plans and specifications for these improvements, obtain the necessary easements for construction, and to determine the cost of said project in sufficient detail to establish the special assessment district and the applicable assessment to the properties in the district, and to furnish said information to the Mayor and City Council.

By Councilmember Dunbar

To return this item to Committee

Motion Carried

THIS ITEM WAS RETURNED TO COMMITTEE

BY THE COMMITTEE ON PUBLIC SERVICES
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

PUBLIC IMPROVEMENT I

WHEREAS, the Public Service Department has established the need for construction of curb and gutter, sidewalk and the necessary storm drainage facilities on Moores River Drive from Mount Hope Avenue to the west entrance to Francis Park; and

WHEREAS, the City Council has determined that this proposed public improvement will benefit especially to properties in the vicinity of the work to be done and that a benefit district pursuant to Chapter 1026 of the Lansing Code of Ordinances should be established to be specially assessed for the public improvement;

NOW, THEREFORE, BE IT RESOLVED that the City Council hereby determines it to be of a public necessity to construct the following public improvements: curb and gutter and the necessary storm drainage in Moores River Drive from Mount Hope Avenue to the west entrance to Francis Park.

BE IT FURTHER RESOLVED that the cost of these improvements is to be financed by special assessments to the benefited property owners, and that the City's public share of the project shall be paid from FY08 Act 51 Road Funds and Federal Urban STP Funds.

BE IT FINALLY RESOLVED that the Department of Public Service is hereby authorized to prepare necessary plans and specifications for these improvements, obtain the necessary easements for construction, and to determine the cost of said project in sufficient detail to establish the special assessment district and the applicable assessment to the properties in the district, and to furnish said information to the Mayor and City Council.

By Councilmember Dunbar

To return this item to Committee

Motion Carried

RESOLUTION#468

BY THE COMMITTEE ON PUBLIC SERVICES
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Mayor has requested confirmation of the reappointment of Cynthia L. Bowen, 6538 Old River Trail, Lansing, Michigan 48917, to the Lansing Entertainment and Public Facilities Authority for a term to expire June 30, 2011.

WHEREAS, the Committee on Public Services met on November 21, 2007, and recommended confirmation of this reappointment.

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby confirms the Mayor's reappointment of Cynthia L. Bowen, 6538 Old River Trail, Lansing, Michigan 48917, to the Lansing Entertainment and Public Facilities Authority for a term to expire June 30, 2011.

By Councilmember Dunbar

Motion Carried

RESOLUTION#469

BY THE COMMITTEE ON PUBLIC SERVICES
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Mayor has requested confirmation of the reappointment of Ellen Jeffries, 3229 Moores River Drive, Lansing, Michigan 48911, to the Lansing Entertainment and Public Facilities Authority for a term to expire June 30, 2011.

WHEREAS, the Committee on Public Services met on November 21, 2007, and recommended confirmation of this reappointment.

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby confirms the Mayor's reappointment of Ellen Jeffries, 3229 Moores River Drive, Lansing, Michigan 48911, to the Lansing Entertainment and Public Facilities Authority for a term to expire June 30, 2011.

By Councilmember Jeffries

To recuse Councilmember Jeffries for possible conflict of Interest

Motion Carried

By Councilmember Dunbar

To place an affirmative role on the resolution

Motion Carried (Councilmember Jeffries Abstaining)

RESOLUTION#470

BY THE COMMITTEE ON PUBLIC SERVICES
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Mayor has requested confirmation of the appointment of Farhan Bhatti, 201 E. St. Joseph St., Lansing, Michigan 48933 to the Principal Shopping District Board of Directors

representing Downtown Adjoining Neighborhood for a term to expire June 30, 2009.

WHEREAS, the Committee on Public Services met on November 21, 2007, and recommended confirmation of this appointment.

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby confirms the Mayor's appointment of Farhan Bhatti, 201 E. St. Joseph St., Lansing, Michigan 48933 to the Principal Shopping District Board of Directors representing Downtown Adjoining Neighborhood for a term to expire June 30, 2009.

By Councilmember Dunbar

Motion Carried

RESOLUTION#471

BY THE COMMITTEE ON PUBLIC SERVICES
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Mayor has requested confirmation of the appointment of Vince Villegas, 128 N. Magnolia, Lansing, Michigan 48912 to the Principal Shopping District Board of Directors for a term to expire June 30, 2010.

WHEREAS, the Committee on Public Services met on November 21, 2007, and recommended confirmation of this appointment.

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby confirms the Mayor's appointment of Vince Villegas, 128 N. Magnolia, Lansing, Michigan 48912 to the Principal Shopping District Board of Directors for a term to expire June 30, 2010.

By Councilmember Dunbar

Motion Carried

RESOLUTION#472

BY THE COMMITTEE ON WAYS AND MEANS
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the 2006/2007 fiscal year-end has come to a close and pre-audit year-end results have been determined; and

WHEREAS, certain adjustments are needed to close out the 2006/2007 fiscal year;

NOW, THEREFORE, BE IT RESOLVED that the following FY 2006/2007 year-end budget amendment be approved:

Budget

Increase

GENERAL FUND

(Decrease)

Cable Access Personnel	\$1,585
Cable Access Operating	(1,585)
Mayor's Office Operating	2,337
Mayor's Office Personnel	(2,337)
Police Personnel	99,475
Police Operating	(99,475)
Fire Personnel	122,925
Fire Operating	(122,925)
Clerk's Office Operating	2,804
Clerk's Office Capital	1,311
HRCS Personnel	67,491
Transfer to Building Safety Fund	121,022
Transfer to Zoo Fund	28,271
Transfer to Golf Fund	30,096
Circuit Court Operating	(64,336)
Fire Operating	(101,809)
Public Service Personnel	(24,205)
Debt Service	(60,646)

0

BUILDING SAFETY FUND REVENUES

Transfer from General Fund	\$121,022
Building Permit Revenue	(121,022)

ZOO FUND

Transfer from General Fund	\$28,271
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Zoo Operating Expenses	\$28,271
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GOLF FUND REVENUES

Transfer from General Fund	\$30,096
Green Fees - Waverly	(30,096)

By Councilmember Wood

Motion Carried

RESOLUTION#473

BY THE COMMITTEE ON WAYS AND MEANS
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

That the following remaining balances as of 6/30/2007 be reappropriated in Fiscal Year FY2007/2008 in the accounts indicated:

Account	Department/Fund	PO#	Account/Vendor Name	Description	Encumbered (Outstanding Purchase Orders)	Unencumbered
GENERAL FUND						
101.112101.741200.00000	Council		PROMOTION	Unused Balance		4,626.87
101.112101.741215.00000	Council		COUNCILMEMBER ALLEN	Unused Balance		501.03
101.112101.741219.00000	Council		COUNCILMEMBER LEEMAN	Unused Balance		34.57
101.112101.741227.00000	Council		COUNCIL MEMBER JEFFRIES	Unused Balance		80.31

101.112101.741229.00000	Council		COUNCILMEMBER DUNBAR	Unused Balance		271.71
101.112101.741230.00000	Council		COUNCILMEMBER KALTENBACH	Unused Balance		445.06
101.112101.741231.00000	Council		COUNCILMEMBER QUINNEY	Unused Balance		20.53
101.112101.741232.00000	Council		COUNCILMEMBER MATT	Unused Balance		447.39
404.442404.744247.00000	Council		CESAR CHAVEZ EVENT	Unused Balance		—
404.442404.744264.00000	Council		TASTE OF BLACKNESS	Unused Balance		—
404.442404.744264.00000	Council		MICHIGAN MILES EVENT	Unused Balance		—
101.112101.741233.00000	Council		COMMUNITY PROMOTION	Unused Balance		4,100.00
101.112101.977101.00000	Council		EQUIPMENT < \$5,000	Unused Balance		1,514.34
	Council Total					12,041.81
101.112110.741000.00000	Cable		MISCELLANEOUS OPERATING	Unused Balance		2,207.56
101.112110.963004.00000	Cable	P030492	B&H PHOTO-VIDEO-PRO AUDIO	SWITRONIX SHOULDER BRACKET FOR MINI DVI	5,036.00	
101.112110.977000.00000	Cable		EQUIPMENT	Unused Balance		2,620.02
	Cable Total				5,086.00	4,827.58
101.112120.741000.00000	Internal Audit		MISCELLANEOUS OPERATING	Unused Balance		965.18
	Internal Audit Total					965.18
101.132200.992200.00000	District Court		BUDGET CONTROL	(Detail Displayed in District Court Memo Fund, Fund 760)	6,000.00	6,000.00
	District Court Total				6,000.00	6,000.00
101.172610.741900.00000	PND	P030000	NUTECHS INC	LOTUS NOTES DEVELOPMENT AS PER ALL TERMS	9,250.00	1,600.00
101.172610.742000.00000	PND	P030504	EDS	U8037E HP ELECTRONIC HP CARE PACK NEXT	1,980.94	
101.172620.741850.00000	PND		SPECIAL PROGRAMS	Grand Vision Project		32,005.00
101.172620.743600.00000	PND	P030390	THE OETZEL-VILLIAMS GROUP	APPRAISAL	4,500.00	
101.172640.741000.00000	PND	P030211	NTH CONSULTANTS LTD	SOIL BORING ALONG EDGEWOOD BLVD FOR BUS	1,500.00	
	PND Total				17,230.94	33,605.00
101.172800.701666.00000	Human Resources		RESIDENCY INCENTIVE PROGRAM	Residency Incentive - FY07 Residuals		7,889.45
101.172800.741000.00000	Human Resources	P030471	EDS	ADOBE ACROBAT 8.0 (PERSONNEL) QUOTE	164.66	
101.172801.743000.00000	Human Resources	P079977	KELLER THOMA, PC	GENERAL LEGAL MATTERS	7,023.30	
	Human Resources Total				7,188.46	7,889.45
101.173130.744000.00000	Finance	P030369	B & L ASSOCIATES INC	MAINTENANCE AND SUPPORT EL/LIB TAPE	9,763.00	
101.173130.746000.00000	Finance	P079536	STR SOFTWARE	INVOICE #2006-33 - AVENTX UNIX OPTION	2,600.00	
101.173130.746000.00000	Finance	P079748	CUMMINS MICHIGAN INC	ANNUAL SERVICE AGREEMENT - GENERATOR	1,096.00	
101.173130.746000.00000	Finance	P030003	ORACLE CORPORATION	ANNUAL SERVICE RENEWAL - PER SERVICE	4,749.50	
101.173130.746000.00000	Finance	P030372	DELL INC	STATE OF MICHIGAN SKU#982-1408 THIS	1,197.00	
101.173130.746000.00000	Finance	P030447	DELL INC	STATE OF MICHIGAN SKU#982-1408 THIS	570.00	
101.173130.746000.00000	Finance	P030434	LIEBERT GLOBAL SERVICES	40 BATTERIES - MODEL #37EP030XPJ1BNL -	7,509.00	
101.173130.977004.00000	Finance	P030431	EDS	QUOTE ID 863925 - DELL - OPTIPLEX 745	2,117.50	
101.173140.743000.00000	Finance		MISCELLANEOUS OPERATING	MEQ Requirements for testing/inspections of generator fuel tanks		58,796.00
101.173140.746400.00000	Finance	P030419	J C LINN	BUILDING DRAIN AND SEWER REPAIRS	3,300.00	
	Finance Total				37,907.00	58,796.00
101.343201.741830.00000	Police		DONATIONS/CONTRIBUTIONS	Donations		719.27
101.343201.741832.00000	Police		DONATIONS-GUN BUY BACK	Donations		267.00
101.343201.741834.00000	Police		PRINTS FOR LIFE	Donations		842.44
101.343222.977101.00000	Police	P030401	MCKAY PRODUCTS USA	SHIPPING	1,392.50	
	Police Total				1,892.50	1,828.71
101.343501.741830.00000	Fire	P030436	FERNO-WASHINGTON INC	FERNO WASHINGTON MODEL 23Z CHAIR COT	1,872.70	
101.343501.741830.00000	Fire		DONATIONS/CONTRIBUTIONS	Donations		38,226.05

101.343501.744200.00000	Fire		DEPARTMENT COMMUNICATIONS	Station Communication Links (6 & 10), phone line repairs	3,361.39	
101.343510.743000.00000	Fire	P030035	NORTH GRAND RIVER COOPERATIVE	EMS LINEN DECON FOR THE FIRE	4,216.88	
101.343510.977101.00000	Fire	P030436	FERNO-WASHINGTON INC	FERNO WASHINGTON MODEL 28Z CHAIR COT	7,926.01	
101.343530.741000.00000	Fire	P079715	EDS	20010041 - DELL - D-MONITOR STAND FOR	124.20	
	Fire Total				14,139.79	41,587.44
101.453611.704000.00000	Public Service		SALARIES & WAGES	Comp. Time Balances - Act 51/Trunkline		32,719.00
101.453615746000.00000	Public Service	P079539	TETRA TECH-MPS	ENG. MICH AVE STREETSCAPE/RAIN GARDEN	33,798.28	
101.453615.746000.00000	Public Service		REPAIR & MAINTENANCE	Storm Sewer System Repairs		139,762.85
101.453619.746000.00000	Public Service		REPAIR & MAINTENANCE	Working toward closure of Aurelius landfill		1,856.34
	Public Service Total				33,798.28	174,338.19
101.783810.741878.00000	Parks & Rec.	P030466	WOLVERINE FIREWORKS DISPLAY	FIREWORKS /JULY 4, 2007 DISPLAY PER ALL	14,980.00	
101.783813.746200.00000	Parks & Rec.		EQUIPMENT REPAIR & MAINTENANCE	Parks Millage-Funded Account		115,748.45
101.783820.977412.00000	Parks & Rec.		EQUIPMENT - PK MILLAGE	Parks Millage-Funded Account		8,665.50
101.783824741000.00000	Parks & Rec.	P030493	GRANGER COMPOST SUPPLY	Brush Grinding Annual Contact	5,000.00	
101.783824.741000.00000	Parks & Rec.	P030494	ALEXANDER CHEMICAL CORPORATION	ANNUAL PURCHASE ORDER FOR THE PURCHASE	3,500.00	
101.783831.741000.00000	Parks & Rec.	P030182	RED VAN SICKLE	MILLER ROAD CENTER DANCES	400.00	
101.783831.741000.00000	Parks & Rec.	P030495	LES MIDGETT	PAYMENT FOR 4TH OF JULY PARADE	400.00	
101.783832.741000.00000	Parks & Rec.	P030246	J J JINKLE HEIMER & CO	YOUTH AWARD PATCHES SCREEN PRINTED WITH	840.30	
101.783832741000.00000	Parks & Rec.	P030483	JOHNNY MACS	SONIC FLAG BELTS	6,073.30	
101.783833.741000.00000	Parks & Rec.	P030246	J J JINKLE HEIMER & CO	WHITE T-SHIRTS WITH UP TO 5 COLOR SCREEN	6.20	
101.783833.741000.00000	Parks & Rec.	P030478	LANSING COMMUNITY COLLEGE	TUITION FEE	955.00	
101.783833.743000.00000	Parks & Rec.	P030366	GARNETT KEPLER	YOUTH & ADULT DANCE CLASSES	52.25	
101.783870.743000.00000	Parks & Rec.	P077913	LANDSCAPE ARCHITECTS AND PLANN	LANDSCAPE ARCHITECTURAL CONSULTING	2,340.05	
101.783870.743000.00000	Parks & Rec.	P077914	LANDSCAPE ARCHITECTS AND PLANN	LANDSCAPE ARCHITECTURAL CONSULTING	1,284.72	
101.783870.743000.00000	Parks & Rec.	P078268	CAPITAL CONSULTANTS INC	ENGINEERING CONSULTING SERVICES FOR	1,196.70	
101.783870.743000.00000	Parks & Rec.	P078397	LANDSCAPE ARCHITECTS AND PLANN	LANDSCAPE ARCHITECTURAL CONSULTING	75.50	
101.783870.743000.00000	Parks & Rec.	P030265	CONSOER TOWNSEND ENVIRONMENTAL	INSPECTION OF BAKIN STREET BRIDGE PER	603.35	
101.783870.743000.00000	Parks & Rec. Parks & Rec. Total		CONTRACTUAL SERVICES	Parks Millage		60,415.98
					37,708.37	184,829.93
101.833710.741265.00000	Human Services		UNDOING RACISM	Human Services		613.48
101.833710.960120.00000	Human Services		HUMAN SERVICES DISCRETIONARY	Human Services		77,464.48
101.833720.960239.00000	Human Services		HOMELESS FAMILY GROWTH DAY CEN	Human Services		10,000.00
101.833720.960290.00000	Human Services		NORTH NEIGHBORHOOD CENTER	Human Services		75.93
101.833730.741000.00000	Human Services Human Services Total		MISCELLANEOUS OPERATING	Human Services		130.00
					-	88,283.84
	Grand Total				160,951.34	614,993.13

MAJOR STREETS FUND

202.453636.741000.00000	Major Streets	P071359	CAPITAL CONSULTANTS INC	PROPOSAL FOR ENG SERVICES INTERSECTION IMPROVEMENT	14,556.73	
202.453636.741000.00000	Major Streets	P075960	BOARD OF WATER & LIGHT	BWL LABOR, MATERIALS, & EQUIPMENT TO CUT VARIOUS	1,508.41	
202.453636.741000.00000	Major Streets	P076679	BOARD OF WATER & LIGHT	BWL LABOR, MATERIALS, & EQUIPMENT TO	4,000.00	
202.453636.741000.00000	Major Streets	P076957	HNTB ARCHITECTS ENGINEERS PLAN	AMEND 1: ATMS DETAILED DESIGN (PH1)	7,124.42	
202.453636.741000.00000	Major Streets	P077623	BOARD OF WATER & LIGHT	TRAFFIC SIGNAL WORK IN CBD INCLUDING	102,000.00	
202.453636.741000.00000	Major Streets	P078638	PK CONTRACTING	MISCELLANEOUS (NON LONGITUDINAL LINE)	11,103.01	
202.453636.741000.00000	Major Streets	P079098	BOARD OF WATER & LIGHT	BWL LABOR, MATERIALS AND EQUIPMENT TO	3,050.30	

202.453636 741000 00000	Major Streets	P079166	BOARD OF WATER & LIGHT	EQUIPMENT TO REINSTALL TRAFFIC LOOPS	5,639.21
202.453636 741000 00000	Major Streets	P079553	CAPITAL CONSULTANTS INC	EVALUATION	769.60
202.453636 741000 00000	Major Streets	P079670	P K CONTRACTING	MISCELLANEOUS(NON LONGITUDINAL	3,010.17
202.453636 741000 00000	Major Streets	P079756	BOARD OF WATER & LIGHT	CAVANAUGH & PENN SIGNAL MODERNIZATION	15,000.00
202.453636 741000 00000	Major Streets	P080174	CAPITAL CONSULTANTS INC	EDGEWOOD TURNAROUND ENGINEERING	17,876.98
202.453636 741000 00000	Major Streets	P080343	SPARTAN BARRICADING INC	2 CHANGEABLE MESSAGE BOARDS, 4 WEEKS	1,700.00
202.453636 741000 00000	Major Streets	P080487	M & M PAVEMENT MARKING	LONG LINE PAINTING PER QUOTE DATED	10,000.00
202.453636 741000 00000	Major Streets	P080488	P K CONTRACTING	LONG LINE PAINTING PER QUOTE DATED	10,000.00
202.453636 741000 00000	Major Streets	P080613	TOM'S ADVANCED PAVING COMPANY	TRAFFIC DIVERTER 202	7,941.60
202.453636 742500 00000	Major Streets	P077623	BOARD OF WATER & LIGHT	TRAFFIC SIGNAL WORK IN CBD INCLUDING	33,000.00
202.453636 742500 00000	Major Streets	P079756	BOARD OF WATER & LIGHT	CAVANAUGH & PENN SIGNAL MODERNIZATION	6,000.00
202.453636 742500 00000	Major Streets	P080485	OSBURN ASSOCIATES	R7-10% ¹ , SPECIAL, 18X18"X 030"	16,834.89
202.453636 742500 00000	Major Streets	P080580	CARRIER & GABLE INC	TRAFFIC SIGNAL STRAIN POLE, STEEL, 30FT	10,858.32
202.453636 745200 00000	Major Streets	P079756	BOARD OF WATER & LIGHT	CAVANAUGH & PENN SIGNAL MODERNIZATION	9,000.00
202.453636 745200 00000	Major Streets	P080472	SPARTAN BARRICADING INC	DETOUR AND ADVANCE WARNINGS SIGNS	5,842.50
202.453636 745200 00000	Major Streets	P080580	CARRIER & GABLE INC	CONTROLLER, EPAC, 4PHASE, CONVERTIBLE	4,475.25
Major Streets Fund Total					306,391.48
LOCAL STREETS					
203.453636 741000 00000	Local Streets	P078638	P K CONTRACTING	MISCELLANEOUS (NON LONGITUDINAL LINE)	1,233.66
203.453636 741000 00000	Local Streets	P079670	P K CONTRACTING	MISCELLANEOUS(NON LONGITUDINAL	890.01
203.453636 741000 00000	Local Streets	P080091	TOM'S ADVANCED PAVING COMPANY	LOCAL STREETS MISC OPERATING	726.27
203.453636 742500 00000	Local Streets	P080485	OSBURN ASSOCIATES	R7-10% ¹ , SPECIAL, 18X18"X 030"	5,611.61
203.453636 742500 00000	Local Streets	P080580	CARRIER & GABLE INC	TRAFFIC SIGNAL STRAIN POLE, STEEL, 30FT	5,111.19
203.453636 974193 00000	Local Streets	P080613	TOM'S ADVANCED PAVING COMPANY	TRAFFIC DIVERTER 203	14,000.00
203.453636 974193 00000	Local Streets	P080614	CAPITAL CONSULTANTS INC	TRAFFIC DIVERTER DESIGN/CONST	5,942.39
Local Streets Fund Total					33,515.13
BUILDING SAFETY FUND					
249.172610 741000 00000	Building Safety		MISCELLANEOUS OPERATING	Michigan Building Code Books	3,100.00
Building Safety Fund Total					3,100.00
DRUG FORFEITURE FUND					
265.343254 977000 00000	Drug Forfeiture	P080341	BTC COMMUNICATIONS INC	BR-800-VOX PROJECT 25 DIGITAL	7,299.09
265.343254 977101 00000	Drug Forfeiture	P080386	BTC COMMUNICATIONS INC	PART - # 1888760 MOTOROLA BATTERY COVER	1,980.50
265.343254 977101 00000	Drug Forfeiture		EQUIPMENT <\$5000	Cell phone mitter, garage door mitter	4,500.00
Drug Forfeiture Fund Total					9,279.59
4,500.00					4,500.00
PARKING FUND					
585.453641 741000 00000	Parking	P080125	TRAFFIC & SAFETY CONTROL SYST	UPGRADE MCGANN PROFESSIONAL SOFTWARE	19,990.00
585.453641 743000 00000	Parking	P074463	CARL WALKER INC	AMEND #1 - SUPPLEMENTAL ENGINEERING	12,676.44
585.453643 741000 00000	Parking	P080387	INTEGRA REALTY RESOURCES	Appraisal for South Grand Ramp and	7,300.00
585.453643 741000 00000	Parking	P080391	THE OETZEL-VILLIAMS GROUP	APPRAISAL FOR LOT 49 KALAMAZOO BETWEEN	3,000.00
585.453643 741000 00000	Parking	P080461	KEBS INC	SURVEY ANALYSIS LOT 49 KALAMAZOO BETWEEN	1,900.00
585.453643 741000 00000	Parking	P080462	KEBS INC	SURVEY ANALYSIS FOR 425 S GRAND CENTER	1,200.00
585.453643 741000 00000	Parking	P080473	GRAYBAR ELECTRIC COMPANY INC	GE MVR175/VBU/MED - 175 WATT METAL	4,905.00

585.453643.741000.00000	Parking	P080628	NTH CONSULTANTS LTD	ENVIRONMENTAL ENGINEERING ANALYSIS SITE	2,514.29	
585.453643.741000.00000	Parking	P080629	R.S. THOMAS & ASSOCIATES	APPRAISAL SERVICES FOR 425 S. GRAND AVE	4,125.00	
585.453643.975401.00000	Parking	P078858	CAPITAL CONSULTANTS INC	AMEND 1: TASK 2 - DESIGN	24,035.04	
585.453643.975401.00000	Parking		MAJOR MAINTENANCE	Reconstruction/repair of S. Capitol Ramp backlot		478,754.26
585.453643.977000.00000	Parking	P079535	INTEGRATED PARKING SOLUTIONS,	METERTRAX DATABASE CONVERSION	15,280.00	
585.453643.977000.00000	Parking		EQUIPMENT	Meter Maintenance & Meter Collection Vans		39,438.88
585.453644.741000.00000	Parking	P080125	TRAFFIC & SAFETY CONTROL SYST	UPGRADE MCGANN PROFESSIONAL SOFTWARE AND	1,999.00	
585.453644.975401.00000	Parking	P073888	NTH CONSULTANTS LTD	AMEND 2 VISUAL REVIEW	140.46	
585.453644.975401.00000	Parking	P074463	CARL WALKER INC	AMEND #2: SUPPLEMENTAL DESIGN AND	16,382.12	
585.453644.975401.00000	Parking	P074592	BORNOR RESTORATION INC	AMEND 5: SOUTH GRAND MAJOR MAINTENANCE	1,387.50	
585.453644.975401.00000	Parking	P076879	SUPERIOR ELECTRIC OF LANSING I	AMEND #1 - REPLACE ROOF FIXTURES AND	10,100.41	
585.453644.975401.00000	Parking		MAJOR MAINTENANCE	South Grand Ramp repairs/restoration, interior wayfinding		694,360.85
585.453645.741000.00000	Parking	P080125	TRAFFIC & SAFETY CONTROL SYST	UPGRADE MCGANN PROFESSIONAL SOFTWARE AND	3,188.40	
585.453645.975401.00000	Parking	P073888	NTH CONSULTANTS LTD	AMEND 2 VISUAL REVIEW	140.47	
585.453645.975401.00000	Parking	P074463	CARL WALKER INC	TASK 4-CONSTRUCTION ADMINISTRATION AT S. CAPITOL	144.02	
585.453645.975401.00000	Parking	P074592	BORNOR RESTORATION INC	AMENDMENT	18,053.00	
585.453645.975401.00000	Parking	P076879	SUPERIOR ELECTRIC OF LANSING I	PARKING RAMP LIGHTING IMPROVEMENT AT	6,310.34	
585.453645.975401.00000	Parking	P078858	CAPITAL CONSULTANTS INC	AMEND 1: TASK 3 - PLANS & SPECIFICATIONS	9,581.24	
585.453645.975401.00000	Parking		MAJOR MAINTENANCE	South Capitol Ramp repairs/restoration, interior wayfinding, fiber optics link		156,904.20
585.453646.741000.00000	Parking	P079553	CAPITAL CONSULTANTS INC	DESIGN	769.60	
585.453646.741000.00000	Parking	P080125	TRAFFIC & SAFETY CONTROL SYST	UPGRADE MCGANN PROFESSIONAL SOFTWARE AND	7,596.20	
585.453646.975401.00000	Parking	P073888	NTH CONSULTANTS LTD	TASK II - WRITTEN REPORT - DIRECT EXPENSES PLUS OV	11,692.95	
585.453646.975401.00000	Parking	P074463	CARL WALKER INC	TASK 3-PLANS, SPECS AND BID DOCS AT S. CAPITOL	20,912.21	
585.453646.975401.00000	Parking	P074592	BORNOR RESTORATION INC	AMEND 1: CHANGE ORDER #1 FOR NORTH GRAND	8,871.39	
585.453646.975401.00000	Parking	P076879	SUPERIOR ELECTRIC OF LANSING I	PARKING RAMP LIGHTING IMPROVEMENT AT	15,425.23	
585.453646.975401.00000	Parking	P079695	OTIS ELEVATOR CO	MOTION II DOOR OPERATOR	13,500.00	
585.453646.975401.00000	Parking	P079703	MERIDIAN RESTORATION	AMEND #1: NGR BEAM AND COLUMN REPAIR	490.93	
585.453646.975401.00000	Parking		MAJOR MAINTENANCE	North Grand Ramp repairs/restoration, pedway repairs, interior wayfinding		611,681.79
585.453647.741000.00000	Parking	P080125	TRAFFIC & SAFETY CONTROL SYST	UPGRADE MCGANN PROFESSIONAL SOFTWARE AND	2,388.80	
585.453647.975401.00000	Parking	P073888	NTH CONSULTANTS LTD	AMEND 2 NORTH CAPITOL CONSTRUCTION MONITORING	8,604.55	
585.453647.975401.00000	Parking	P074463	CARL WALKER INC	TASK 4-CONSTRUCTION ADMINISTRATION AT S. CAPITOL	111.07	
585.453647.975401.00000	Parking	P074592	BORNOR RESTORATION INC	AMEND #2 - ADDITIONAL WORK FOR THE NORTH	3,344.63	
585.453647.975401.00000	Parking	P076879	SUPERIOR ELECTRIC OF LANSING I	PARKING RAMP LIGHTING IMPROVEMENT	9,912.83	
585.453647.975401.00000	Parking		MAJOR MAINTENANCE	North Capitol Ramp restorations/repairs, interior wayfinding, communications upgrades		467,289.86
585.453648.741000.00000	Parking	P080125	TRAFFIC & SAFETY CONTROL SYST	UPGRADE MCGANN PROFESSIONAL SOFTWARE	4,797.60	
585.453648.975401.00000	Parking	P079830	WESTERN WATERPROOFING COMPANY	REMOVE AND SEAL ADDITIONAL LINES	3,119.90	
585.453648.975401.00000	Parking		MAJOR MAINTENANCE	Townsend Ramp interior wayfinding, cust. assist. system		56,880.10
Fund Total					276,410.62	2,505,319.14

WASTEWATER FUND

590.453603.743000.00000	Wastewater	P076499	TETRA TECH-MPS	AMENDMENT #1-SANITARY SEWER GIS	10,903.68	
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590.453670.742200.00000	Wastewater	P079555	SYNAGRO MIDWEST INC	AMMENDMENT TO PO FOR STABILIME (LIQUID	167.40	
590.453670.742200.00000	Wastewater		CHEMICALS	Sewer System Chemicals		14,350.92
590.453670.743000.00000	Wastewater	P078879	PLUNKETT & COONEY PC	NEGOTIATING AND DRAFTING AMENDMENT TO	7,566.55	
590.453670.743000.00000	Wastewater	P078440	MALCOLM PIRNIE INC	DIGESTER REMEDIATION STUDY AS PER ALL	17,181.13	
590.453670.743000.00000	Wastewater	P079910	MALCOLM PIRNIE INC	GENERAL ENGINEERING SERVICES FOR CATHODIC PROTECTION	20,159.07	
590.453670.743000.00000	Wastewater	P080069	FISHECK THOMPSON & HUBER INC	AS-NEEDED ENGINEERING SERVICES FOR GRIT	10,660.00	
590.453670.743000.00000	Wastewater		CONTRACTUAL SERVICES	Digester Assessment, Energy Utility Study, Solids Handling Study, Feasibility Study, Rate Model Revisions & Financial Analysis		745,249.71
590.453670.744501.00000	Wastewater	P079556	SYNAGRO MIDWEST INC	SERVICE FOR BIOSOLIDS MANAGEME	24,433.15	
590.453670.744501.00000	Wastewater		LAND APPLICATION	NPDES Contracts		272,992.59
590.453670.746100.00000	Wastewater		BUILDING MAINTENANCE	Facilities Painting		156,068.76
590.453670.746104.00000	Wastewater		CAPITAL MAINTENANCE	Sludge Pumps, Valve Actuators, Pump motors, Valves		403,798.04
590.453670.746200.00000	Wastewater	P079551	HANNON ELECTRIC COMPANY	PERFORM SCOPE OF WORK TO REBUILD 2 EACH	22,610.00	
590.453670.746200.00000	Wastewater	P079891	GARDNER DENVER	HOFFMAN RE-MANUFACTURED	11,325.00	
590.453670.746200.00000	Wastewater	P080235	COMMUNICATIONS PROFESSIONALS I	SPLITTER KIT MFR. GENERAL CABLE PART	5,355.66	
590.453670.746200.00000	Wastewater	P080300	D & G EQUIPMENT INC	SMF13 FR4 BARE PUMP TO DUPLICATE	13,876.25	
590.453670.746200.00000	Wastewater	P080430	DETROIT PUMP AND MANUFACTURING	CE072MS1R4/334 STATOR PART # RRE0722205	13,216.54	
590.453670.746200.00000	Wastewater	P080446	HYDRODYNAMICS INC	BARE PUMP ONLY FOR THE HOC3 W/N	5,639.00	
590.453670.977000.00000	Wastewater		EQUIPMENT	Vehicle Tracking System		53,462.00
590.453671.746104.00000	Wastewater	P080270	FISHECK THOMPSON & HUBER INC	SCOTT AND FRANCES PARKS PUMPING STATION	15,500.00	
590.453671.746104.00000	Wastewater	P080479	KENDALL ELECTRIC INC	APW/MCLEAN/HOFFMAN AIR CONDITIONING	10,032.24	
590.453671.746104.00000	Wastewater		CAPITAL MAINTENANCE	Pump & Valve Replacements		153,210.54
590.453671.977000.00000	Wastewater		EQUIPMENT	Vehicle Tracking System		13,500.00
590.453679.977006.00000	Wastewater Wastewater Fund Total		FIELD EQUIPMENT	Vehicle Tracking System	6,500.00	
					188,625.67	1,819,132.56
RECYCLING FUND						
597.453688.741000.00000	Recycling	P080192	CANADIAN AMERICAN CORP	REC COTTON TOTE BAGS AND ARTWORK CHARGE	2,266.68	
597.453688.743000.00000	Recycling Recycling Fund Total		CONTRACTUAL SERVICES	Recycling/Waste Reduction Services Study		34,895.00
					2,266.68	34,895.00
CENTRAL GARAGE FUND						
642.173150.978000.00000	Central Garage Central Garage Fund Total		VEHICLES	Tower Truck		110,000.00
						110,000.00
ENGINEERING FUND						
645.453603.741000.00000	Engineering Fund Engineering Fund Total		MISCELLANEOUS OPERATING			10,305.38
						10,305.38
INSURANCE FUND						
650.173915.741000.00000	Insurance Fund	P080123	HEALTH MANAGEMENT ASSOCIATES	ADVERTISEMENT AND PROCESSING TOOLS FOR	5,264.89	
650.176916.715047.00000	Insurance Fund Insurance Fund Total		WORKERS COMPENSATION	Workers Comp. Claims		107,900.00
					5,264.89	107,900.00

DISTRICT COURT MEMO
FUND

760 132201 743000 00000	Dist. Ct.	P030145	MARK A. LEONARD	1,000.00
760 132201 743000 00000	Dist. Ct.	P030146	TODD ROBINSON	1,000.00
760 132201 743000 00000	Dist. Ct.	P030148	VENU YAGALLA	1,000.00
760 132201 743000 00000	Dist. Ct.	P030149	PEGGY ROSTORFER	1,000.00
760 132201 743000 00000	Dist. Ct.	P030279	TODD ROBINSON	1,000.00
760 132201 743000 00000	Dist. Ct.	P030365	GEORGE M BELTS	1,000.00
760 132201 743000 00000	Dist. Ct.		MISCELLANEOUS OPERATING	
	District Court Memo Fund		Computer Warranty	6,000.00
				<hr/>
				6,000.00
				<hr/>
				6,000.00

By Councilmember Wood

To amend the General Fund Balance by striking the line items for "Cesar Chavez Event", "Taste of Blackness" and "Michigan Miles Event" and place those funds in the Community Promotion unused balance

Motion Carried

By Councilmember Wood

To place an affirmative roll on the amended resolution

Motion Carried

RESOLUTION#474

BY THE COMMITTEE ON WAYS & MEANS
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

That the following FY 2008 transfer be approved:

State/Federal Programs

AMOUNT TO TRANSFER	TRANSFER FROM ACCOUNT #	TRANSFER TO ACCOUNT #
\$ 28,752.84	Estimated State Revenue 273 0573010 14317	
\$ 28,752.84		State/Fed Project PA302 - Training 273.343212.747000 14317

(To provide for Lansing Police Department police officer training under the auspices of state Public Act 302 [as amended]. This is a distribution of the second and final calendar 2007 semi-annual payment from the state).

By Councilmember Wood

Motion Carried

RESOLUTION#475

BY THE COMMITTEE ON WAYS AND MEANS
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

That the following FY 2008 transfer be approved:

AMOUNT TO TRANSFER	TRANSFER FROM ACCOUNT #	TRANSFER TO ACCOUNT #
\$60,000.00	Cable TV - Programming Grants 410 000000 471001 00000	
\$10,000.00		Cap Proj Fund-Centr Svcs- PEG Fees 410 934190 743000 12109

\$50,000.00	Cap Proj Fund-Equipment PEG Fees 410 933250 974000 43008
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(Explanation: Transfer Cable - Public, Education and Government access (P.E.G.) fees to the Capital Improvements Fund.)

By Councilmember Wood

Motion Carried

RESOLUTION#476

BY THE COMMITTEE ON WAYS AND MEANS
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Mayor has requested confirmation of the appointment of Jerry Ambrose to the vacant City of Lansing seat on the Local Development Finance Authority (Lansing Regional SmartZone) for a term to expire June 30, 2009.

WHEREAS, the Committee on Ways and Means met on November 20, 2007, and recommended confirmation of this appointment.

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby confirms the Mayor's appointment of Jerry Ambrose to the vacant City of Lansing seat on the Local Development Finance Authority (Lansing Regional SmartZone) for a term to expire June 30, 2009.

By Councilmember Wood

Motion Carried

REPORTS FROM COUNCIL COMMITTEES**RESOLUTION#477
REPORT OF COMMITTEE**

THE COMMITTEE ON DEVELOPMENT AND PLANNING was held on November 21, 2007 and reviewed the Ordinance amendment to Chapter 1246, Section 1246.02 of the Code of Ordinances to allow for rezoning a parcel of real property located at 1030 S. Holmes from "B" Residential Office District to "D-1" Professional Office District, property located at 1030 S. Holmes Street.

The Committee recommends approval of the Ordinance amendment to Chapter 1246, Section 1246.02 of the Code of Ordinances to allow for

rezoning a parcel of real property located at 1030 S. Holmes from "B" Residential Office District to "D-1" Professional Office District, property located at 1030 S. Holmes Street.

Signed: Brian Jeffries, Chairperson
Sandy Allen, Vice Chairperson
Kathie Dunbar, Member

By Councilmember Jeffries

To receive this Committee Report

Motion Carried

RESOLUTION#478
REPORT OF COMMITTEE

THE COMMITTEE ON GENERAL SERVICES held a meeting on November 26, 2007 and reviewed the ordinance amendment of Chapter 1023 of the Codified Ordinances to promote and protect the public health, safety, and welfare and exercise reasonable control over the public Right-of-Way by regulating the use and occupation of such Right-of-Way by video service providers who have a standardized, uniform franchise but who lack a Metro Act Permit from the City.

The Committee recommends adoption of the ordinance amendment of Chapter 1023 of the Codified Ordinances to promote and protect the public health, safety, and welfare and exercise reasonable control over the public Right-of-Way by regulating the use and occupation of such Right-of-Way by video service providers who have a standardized, uniform franchise but who lack a Metro Act Permit from the City.

November 26, 2007

Signed: Tim Kaltenbach, Chairperson
Carol Wood, Vice Chairperson
Harold Leeman, Member

By Councilmember Kaltenbach

To receive this Committee Report

Motion Carried

ORDINANCES FOR INTRODUCTION

INTRODUCTION OF ORDINANCE
AMEND CHAPTER 294, SECTION 294.02(c)

By Councilmember Wood, Chair of the Committee on Ways and Means

That:

An Ordinance of the City of Lansing to amend Chapter 294, Section 294.02(c) of the Lansing Codified Ordinances to authorize the Mayor to designate a person to act on his behalf as a member of the Police and Fire Retirement System Board

was introduced by Councilmember Wood, read by its title and referred to the Committee on Ways and Means

RESOLUTION#479
RESOLUTION SETTING PUBLIC HEARING

By Councilmember Wood

RESOLVED BY THE CITY COUNCIL, CITY OF LANSING, that a public hearing be set for Monday, December 10, 2007 at 7:00 P.M. in the City Council Chambers, 10th Floor Lansing City Hall, 124 W. Michigan Ave., Lansing, MI for the purpose of considering an Ordinance of the City of Lansing to amend Chapter 294, Section 294.02(c) of the Lansing Codified Ordinances to authorize the Mayor to

designate a person to act on his behalf as a member of the Police and Fire Retirement System Board

Interested Persons are invited to attend this Public Hearing

INTRODUCTION OF ORDINANCE
AMEND CHAPTER 292, SECTION 292.04

By Councilmember Wood, Chair of the Committee on Ways and Means

That:

An Ordinance of the City of Lansing to amend Chapter 292, Section 292.04 of the Lansing Codified Ordinances to authorize the Mayor to designate a person to act on his behalf as a member of the Employees' Retirement System Board

was introduced by Councilmember Wood, read by its title and referred to the Committee on Ways and Means

RESOLUTION#480
RESOLUTION SETTING PUBLIC HEARING

By Councilmember Wood

RESOLVED BY THE CITY COUNCIL, CITY OF LANSING, that a public hearing be set for Monday, December 10, 2007 at 7:00 P.M. in the City Council Chambers, 10th Floor Lansing City Hall, 124 W. Michigan Ave., Lansing, MI for the purpose of considering an Ordinance of the City of Lansing to amend Chapter 292, Section 292.04 of the Lansing Codified Ordinances to authorize the Mayor to designate a person to act on his behalf as a member of the Employees' Retirement System Board

Interested Persons are invited to attend this Public Hearing

ORDINANCES FOR PASSAGE

BY COUNCILMEMBER JEFFRIES

That we move to the passage of Ordinances

BY COUNCILMEMBER JEFFRIES

That the Ordinance when read be considered as read in its entirety.

BY THE COMMITTEE ON DEVELOPMENT AND PLANNING

BY COUNCILMEMBER JEFFRIES

Resolved by the City Council of the City of Lansing that an Ordinance of the City of Lansing, Michigan, Providing for the Rezoning of a parcel of real property located in the City of Lansing, Michigan and for the revision of the district maps adopted by section 1246.02 of the Code of Ordinances for property located at Z-7-2007; 1030 S. Holmes St., be placed on order of immediate passage.

BY THE COMMITTEE ON DEVELOPMENT AND PLANNING

BY COUNCILMEMBER JEFFRIES

Resolved by the City Council of the City of Lansing that an Ordinance of the City of Lansing, Michigan, Providing for the Rezoning of a parcel of real property located in the City of Lansing, Michigan and for the revision of the district maps adopted by section 1246.02 of the Code of Ordinances for property located at Z-7-2007; 1030 S. Holmes St., be now passed.

YEAS: Councilmembers Dunbar, Jeffries, Kaltenbach, Leeman, Matt, Quinney and Wood

NAYS: None

ABSENT: Councilmember Allen

By Councilmember Jeffries

THAT THIS ORDINANCE, BEING NECESSARY FOR THE IMMEDIATE PRESERVATION OF THE PUBLIC, PEACE, HEALTH OR SAFETY SHALL TAKE EFFECT UPON ITS PASSAGE

Motion Carried

ORDINANCE #2533

AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, PROVIDING FOR THE REZONING OF A PARCEL OF REAL PROPERTY LOCATED IN THE CITY OF LANSING, MICHIGAN AND FOR THE REVISION OF THE DISTRICT MAPS ADOPTED BY SECTION 1246.02 OF THE CODE OF ORDINANCES.

The City of Lansing ordains:

Section 1. That the district maps adopted by and incorporated as Section 1246.02 of the Code of Ordinances of the City of Lansing, Michigan be amended to provide as follows:

To change the zoning classification of the property described as follows:

Case Number: Z-7-2007

Address: 1030 S. Holmes Street

Parcel Number: PPN: 33-01-01-22-133-102

Legal Descriptions: Lots 1 through 9 and Lots 26 through 34, Block 11, Manufacturers Addition

No. 2, City of Lansing, Ingham County, Michigan, from "B" Residential District to "D-1"

Professional Office District

Section 2. All ordinances or parts of ordinances inconsistent with the provisions hereof are hereby repealed.

Section 3. This ordinance shall take effect thirty (30) days from its passage unless given immediate effect by the City Council.

By Councilmember Kaltenbach

That the Ordinance when read by its title be considered as read in its entirety.

BY THE COMMITTEE ON GENERAL SERVICES

By Councilmember Kaltenbach

That:

An Ordinance of the city of Lansing, Michigan, to add chapter 1023 et seq, of the Lansing codified ordinances to promote and protect the public health, safety and welfare and exercise reasonable control over the public right-of-way by regulating the use and occupation of such right-of-way by video service providers who have a standardized, uniform franchise but who lack a metro act permit

from the city

be placed on order of immediate passage.

BY THE COMMITTEE ON GENERAL SERVICES

By Councilmember Kaltenbach

That:

An Ordinance of the city of Lansing, Michigan, to add chapter 1023 et seq, of the Lansing codified ordinances to promote and protect the public health, safety and welfare and exercise reasonable control over the public right-of-way by regulating the use and occupation of such right-of-way by video service providers who have a standardized, uniform franchise but who lack a metro act permit from the city

be now passed.

YEAS: Councilmembers Dunbar, Jeffries, Kaltenbach, Leeman, Matt, Quinney and Wood

NAYS: None

ABSENT: Councilmember Allen

By Councilmember Jeffries

THAT THIS ORDINANCE, BEING NECESSARY FOR THE IMMEDIATE PRESERVATION OF THE PUBLIC, PEACE, HEALTH OR SAFETY SHALL TAKE EFFECT UPON ITS PASSAGE

Motion Carried

ORDINANCE #1126

AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, TO ADD CHAPTER 1023 ET SEQ, OF THE LANSING CODIFIED ORDINANCES TO PROMOTE AND PROTECT THE PUBLIC HEALTH, SAFETY AND WELFARE AND EXERCISE REASONABLE CONTROL OVER THE PUBLIC RIGHT-OF-WAY BY REGULATING THE USE AND OCCUPATION OF SUCH RIGHT-OF-WAY BY VIDEO SERVICE PROVIDERS WHO HAVE A STANDARDIZED, UNIFORM FRANCHISE BUT WHO LACK A METRO ACT PERMIT FROM THE CITY.

THE CITY OF LANSING ORDAINS:

Section 1. That Chapter 1023 of the Codified Ordinances of the City of Lansing, Michigan, be and is hereby added to read as follows:

1.0 PURPOSE:

1.1 UNDER THE UNIFORM VIDEO SERVICES LOCAL FRANCHISE ACT, VIDEO SERVICE PROVIDERS MAY OBTAIN A FRANCHISE TO PROVIDE VIDEO SERVICES IN THE CITY USING A STANDARDIZED, UNIFORM FORM OF FRANCHISE AGREEMENT ESTABLISHED BY THE MICHIGAN PUBLIC SERVICE COMMISSION (MPSC). THIS FORM INCLUDES THE RIGHT TO USE THE PUBLIC RIGHT-OF-WAY TO PROVIDE SUCH SERVICE BUT DOES NOT CONTAIN RIGHT-OF-WAY MANAGEMENT AND RELATED PROVISIONS.

1.2 TELECOMMUNICATIONS PROVIDERS WHO OBTAIN SUCH A STANDARDIZED, UNIFORM FORM OF FRANCHISE AGREEMENT WILL USUALLY HAVE A CITY PERMIT ISSUED PURSUANT TO THE METRO ACT ALLOWING

THEM TO CONSTRUCT AND MAINTAIN THEIR TELECOMMUNICATIONS FACILITIES IN THE PUBLIC RIGHT-OF-WAY. SUCH METRO ACT PERMITS SET FORTH THE TERMS AND CONDITIONS FOR SUCH RIGHT-OF-WAY USAGE. STANDARD FORMS FOR SUCH PERMITS WERE AGREED TO IN A COLLABORATIVE PROCESS BETWEEN MUNICIPALITIES AND PROVIDERS THAT WAS INITIATED BY THE MPSC, AND SUCH STANDARD FORMS HAVE SINCE BEEN APPROVED BY THE LEGISLATURE AND THE MPSC.

- 1.3 BECAUSE TELECOMMUNICATIONS PROVIDERS TYPICALLY PROVIDE VIDEO SERVICES OVER COMBINED VIDEO AND TELECOMMUNICATIONS FACILITIES, METRO ACT PERMITS GENERALLY PROVIDE ADEQUATE PUBLIC RIGHT-OF-WAY PROTECTIONS FOR THE CITY AND THE PUBLIC WHEN SUCH PROVIDERS ARE PROVIDING VIDEO SERVICES.
- 1.4 OTHER VIDEO SERVICE PROVIDERS, IN PARTICULAR NEW PROVIDERS OR EXISTING CABLE COMPANIES, MAY NOT HAVE A METRO ACT PERMIT ISSUED BY THE CITY.
- 1.5 THE UNIFORM VIDEO SERVICES LOCAL FRANCHISE ACT AND THE STANDARDIZED, UNIFORM FRANCHISE AGREEMENT REQUIRE VIDEO SERVICE PROVIDERS TO COMPLY WITH ALL VALID AND ENFORCEABLE LOCAL REGULATIONS REGARDING THE USE AND OCCUPATION OF PUBLIC RIGHTS-OF-WAY IN THE DELIVERY OF VIDEO SERVICES. THIS INCLUDES THE POLICE POWERS OF THE FRANCHISING ENTITY, AND MAKES SUCH RIGHT-OF-WAY USAGE SUBJECT TO THE LAWS OF THE STATE OF MICHIGAN AND THE POLICE POWERS OF THE FRANCHISING ENTITY.
- 1.6 THE UNIFORM VIDEO SERVICES LOCAL FRANCHISE ACT AND THE STANDARDIZED, UNIFORM FRANCHISE AGREEMENT STATE THAT FRANCHISING ENTITIES SHALL PROVIDE VIDEO SERVICE PROVIDERS WITH OPEN, COMPARABLE, NONDISCRIMINATORY AND COMPETITIVELY NEUTRAL ACCESS TO THE PUBLIC RIGHT-OF-WAY, AND MAY NOT DISCRIMINATE AGAINST A VIDEO SERVICE PROVIDER FOR THE AUTHORIZATION OR PLACEMENT OF A VIDEO SERVICE OR COMMUNICATIONS NETWORK IN PUBLIC RIGHTS-OF-WAY.
- 1.7 THE MICHIGAN CONSTITUTION RESERVES REASONABLE CONTROL OF THEIR HIGHWAYS, STREETS, ALLEYS AND PUBLIC PLACES TO LOCAL UNITS OF GOVERNMENT.
- 1.8 THE PURPOSE OF THIS ORDINANCE IS TO PROMOTE AND PROTECT THE PUBLIC HEALTH, SAFETY AND WELFARE AND EXERCISE REASONABLE CONTROL OVER THE PUBLIC RIGHTS-OF-WAY BY REGULATING THE USE AND OCCUPATION OF SUCH RIGHTS-OF-WAY BY VIDEO SERVICE PROVIDERS WHO HAVE A STANDARDIZED,

UNIFORM FRANCHISE BUT WHO LACK A METRO ACT PERMIT FROM THE CITY. THIS ORDINANCE DOES SO BY SETTING FORTH TERMS AND CONDITIONS FOR THE USE AND OCCUPATION OF THE PUBLIC'S RIGHTS OF WAY FROM THE FORMS OF METRO ACT PERMITS AS APPROVED BY THE MPSC AND THE LEGISLATURE IN SECTION 6(1) OF THE METRO ACT, THUS PROVIDING OPEN, COMPARABLE, NONDISCRIMINATORY, AND COMPETITIVELY NEUTRAL ACCESS TO THE PUBLIC RIGHT-OF-WAY AND NOT DISCRIMINATING AGAINST A VIDEO SERVICE PROVIDER FOR THE AUTHORIZATION OR PLACEMENT OF A VIDEO SERVICE OR COMMUNICATIONS NETWORK IN PUBLIC RIGHTS-OF-WAY.

2.0 CONSISTENT INTERPRETATION: THIS ORDINANCE SHALL BE INTERPRETED AND APPLIED SO AS TO BE CONSISTENT WITH THE METRO ACT AND CORRESPONDING PROVISIONS OF THE FORMS OF METRO ACT PERMITS APPROVED BY THE MPSC, INCLUDING APPLICABLE MPSC, METRO AUTHORITY AND COURT DECISIONS AND DETERMINATIONS RELATING TO SAME.

3.0 DEFINITIONS: THE FOLLOWING DEFINITIONS APPLY TO THIS ORDINANCE, INCLUDING SECTIONS 1 AND 2 ABOVE.

- 3.1 ACT MEANS THE UNIFORM VIDEO SERVICES LOCAL FRANCHISE ACT, BEING ACT 480 OF THE PUBLIC ACTS OF 2007, MCL 484.3301 AND FOLLOWING, AS AMENDED FROM TIME TO TIME.
- 3.2 CITY OR THE CITY MEANS THE CITY OF LANSING
- 3.3 CLAIMS SHALL HAVE THE MEANING SET FORTH IN SECTION 7.1.
- 3.4 FACILITIES MEANS THE LINES, EQUIPMENT AND OTHER FACILITIES OF A PERMITTEE WHICH USE OR OCCUPY THE PUBLIC RIGHT-OF-WAY IN THE DELIVERY OF VIDEO SERVICES IN THE CITY.
- 3.5 FRANCHISE AGREEMENT MEANS THE FRANCHISE AGREEMENT ENTERED INTO OR POSSESSED BY A VIDEO SERVICE PROVIDER WITH THE CITY AS REQUIRED BY SECTION 3(1) OF THE ACT, IF IT IS THE STANDARDIZED, UNIFORM FORM OF FRANCHISE AGREEMENT ESTABLISHED BY THE MPSC.
- 3.6 MANAGER MEANS THE MAYOR OR HIS OR HER DESIGNEE.
- 3.7 METRO ACT MEANS THE METROPOLITAN EXTENSION TELECOMMUNICATIONS RIGHTS-OF-WAY OVERSIGHT ACT, BEING ACT NO. 48 OF THE PUBLIC ACTS OF 2002, MCL 484.3101 AND FOLLOWING.
- 3.8 METRO ACT PERMIT MEANS A PERMIT TO USE THE PUBLIC RIGHT-OF-WAY ISSUED BY THE CITY UNDER ITS ORDINANCE IMPLEMENTING THE METRO ACT.
- 3.9 METRO AUTHORITY SHALL HAVE THE SAME MEANING AS "AUTHORITY" IN THE METRO

ACT.

3.10 MPSC MEANS THE MICHIGAN PUBLIC SERVICE COMMISSION, AND SHALL HAVE THE SAME MEANING AS THE TERM "COMMISSION" IN THE ACT AND THE METRO ACT.

3.11 PERMITTEE MEANS A VIDEO SERVICE PROVIDER WITH A CURRENTLY VALID FRANCHISE AGREEMENT BUT WITHOUT A CURRENTLY VALID METRO ACT PERMIT.

3.11.1 UPON APPLYING TO THE CITY FOR AND THEN OBTAINING A METRO ACT PERMIT FROM THE CITY A VIDEO SERVICE PROVIDER IS NOT A PERMITTEE AND IS NO LONGER REQUIRED TO COMPLY WITH THIS ORDINANCE. A VIDEO SERVICE PROVIDER IS ALSO NOT A PERMITTEE AND IS NOT REQUIRED TO COMPLY WITH THIS ORDINANCE IF IT AND THE CITY ENTER INTO A VOLUNTARY FRANCHISE AGREEMENT AS DESCRIBED IN SECTION 11.2.

3.12 PERSON MEANS AN INDIVIDUAL, CORPORATION, ASSOCIATION, PARTNERSHIP, GOVERNMENTAL ENTITY, OR ANY OTHER LEGAL ENTITY.

3.13 PUBLIC RIGHT-OF-WAY SHALL HAVE THE SAME MEANING AS IN THE ACT.

3.14 STREET CONSTRUCTION AND STREET RESURFACING SHALL HAVE THE MEANINGS SET FORTH IN SECTION 6.9.

3.15 VIDEO SERVICE SHALL HAVE THE SAME MEANING AS IN THE ACT.

3.16 VIDEO SERVICE PROVIDER SHALL HAVE THE SAME MEANING AS IN THE ACT.

4.0 APPLICABILITY TO PERMITTEES:

4.1 COMPLIANCE, INSURANCE EXCEPTION. ALL PERMITTEES SHALL COMPLY WITH THE FOLLOWING PROVISIONS OF THIS ORDINANCE, EXCEPT THAT A PERMITTEE NEED NOT COMPLY WITH THE INSURANCE PROVISIONS OF SECTIONS 8.1 THROUGH 8.6 BELOW IF IT IS REQUIRED BY SECTION 11.J (PERTAINING TO INCUMBENT VIDEO PROVIDERS CONTINUING CERTAIN INSURANCE PROVIDED UNDER THEIR PRECEDING FRANCHISE) OF ITS FRANCHISE AGREEMENT TO PROVIDE CERTAIN INSURANCE.

5.0 CONTACTS, MAPS AND PLANS:

5.1 PERMITTEE CONTACTS. PERMITTEE SHALL PROVIDE THE MANAGER WITH THE NAMES, ADDRESSES AND THE LIKE FOR ENGINEERING AND CONSTRUCTION RELATED INFORMATION FOR PERMITTEE AND ITS FACILITIES AS FOLLOWS:

5.1.1 THE ADDRESS, E-MAIL ADDRESS,

PHONE NUMBER AND CONTACT PERSON (TITLE OR NAME) AT PERMITTEE'S LOCAL OFFICE (IN OR NEAR THE CITY).

5.1.2 IF PERMITTEE'S ENGINEERING DRAWINGS, AS-BUILT PLANS AND RELATED RECORDS FOR THE FACILITIES WILL NOT BE LOCATED AT THE PRECEDING LOCAL OFFICE, THE LOCATION ADDRESS, PHONE NUMBER AND CONTACT PERSON (TITLE OR DEPARTMENT) FOR THEM.

5.1.3 THE NAME, TITLE, ADDRESS, E-MAIL ADDRESS AND TELEPHONE NUMBERS OF PERMITTEE'S ENGINEERING CONTACT PERSON(S) WITH RESPONSIBILITY FOR THE DESIGN, PLANS AND CONSTRUCTION OF THE FACILITIES.

5.1.4 THE ADDRESS, PHONE NUMBER AND CONTACT PERSON (TITLE OR DEPARTMENT) AT PERMITTEE'S HOME OFFICE/REGIONAL OFFICE WITH RESPONSIBILITY FOR ENGINEERING AND CONSTRUCTION RELATED ASPECTS OF THE FACILITIES.

5.1.5 PERMITTEE SHALL AT ALL TIMES PROVIDE MANAGER WITH THE PHONE NUMBER AT WHICH A LIVE REPRESENTATIVE OF PERMITTEE (NOT VOICE MAIL) CAN BE REACHED 24 HOURS A DAY, SEVEN (7) DAYS A WEEK, IN THE EVENT OF A PUBLIC EMERGENCY.

5.1.6 PERMITTEE SHALL NOTIFY THE CITY IN WRITING PURSUANT TO THE NOTICE PROVISIONS OF THE FRANCHISE AGREEMENT OF ANY CHANGES IN THE PRECEDING INFORMATION.

5.2 ROUTE MAPS. WITHIN NINETY (90) DAYS AFTER THE SUBSTANTIAL COMPLETION OF CONSTRUCTION OF NEW FACILITIES IN THE CITY, PERMITTEES SHALL SUBMIT ROUTE MAPS SHOWING THE LOCATION OF THE FACILITIES TO THE CITY, IN THE SAME MANNER AND SUBJECT TO THE SAME PROVISIONS AS APPLY TO TELECOMMUNICATIONS PROVIDERS UNDER SECTION 6(7) AND 6(8) OF THE METRO ACT, MCL 484.3106(7) AND (8).

5.3 AS-BUILT RECORDS. PERMITTEE, WITHOUT EXPENSE TO THE CITY, SHALL, UPON FORTY-EIGHT (48) HOURS NOTICE, GIVE THE CITY ACCESS TO ALL "AS-BUILT" MAPS, RECORDS, PLANS AND SPECIFICATIONS SHOWING THE FACILITIES OR PORTIONS THEREOF IN THE PUBLIC RIGHT-OF-WAY. UPON REQUEST BY THE CITY, PERMITTEE SHALL INFORM THE CITY AS SOON AS REASONABLY POSSIBLE OF ANY CHANGES FROM PREVIOUSLY SUPPLIED MAPS, RECORDS, OR PLANS AND SHALL MARK UP MAPS PROVIDED BY THE CITY SO AS TO SHOW THE LOCATION OF THE FACILITIES.

6.0 USE OF PUBLIC RIGHT-OF-WAY:

6.1 [RESERVED]

6.2 OVERLASHING. PERMITTEE SHALL NOT ALLOW THE WIRES OR ANY OTHER FACILITIES OF A THIRD PARTY TO BE OVERLASHED TO PERMITTEE'S FACILITIES WITHOUT THE CITY'S PRIOR WRITTEN CONSENT. THE CITY'S RIGHT TO WITHHOLD WRITTEN CONSENT IS SUBJECT TO THE AUTHORITY OF THE MPSC UNDER SECTION 361 OF THE MICHIGAN TELECOMMUNICATIONS ACT, MCL § 484.2361.

6.3 NO BURDEN ON PUBLIC RIGHT-OF-WAY. PERMITTEE, ITS CONTRACTORS, SUBCONTRACTORS, AND THE FACILITIES SHALL NOT UNDULY BURDEN OR INTERFERE WITH THE PRESENT OR FUTURE USE OF ANY OF THE PUBLIC RIGHT-OF-WAY. PERMITTEE'S AERIAL CABLES AND WIRES SHALL BE SUSPENDED SO AS TO NOT ENDANGER OR INJURE PERSONS OR PROPERTY IN OR ABOUT THE PUBLIC RIGHT-OF-WAY. IF THE CITY REASONABLY DETERMINES THAT ANY PORTION OF THE FACILITIES CONSTITUTES AN UNDUE BURDEN OR INTERFERENCE, DUE TO CHANGED CIRCUMSTANCES, PERMITTEE, AT ITS SOLE EXPENSE, SHALL MODIFY THE FACILITIES OR TAKE SUCH OTHER ACTIONS AS THE CITY MAY DETERMINE IS IN THE PUBLIC INTEREST TO REMOVE OR ALLEVIATE THE BURDEN, AND PERMITTEE SHALL DO SO WITHIN A REASONABLE TIME PERIOD. THE CITY SHALL ATTEMPT TO REQUIRE ALL OCCUPANTS OF A POLE OR CONDUIT WHOSE FACILITIES ARE A BURDEN TO REMOVE OR ALLEVIATE THE BURDEN CONCURRENTLY.

(a) 6.4 NO PRIORITY. THIS ORDINANCE DOES NOT ESTABLISH ANY PRIORITY OF USE OF THE PUBLIC RIGHT-OF-WAY BY PERMITTEE OVER ANY PRESENT OR FUTURE PERMITTEES OR PARTIES HAVING AGREEMENTS WITH THE CITY OR FRANCHISES FOR SUCH USE. IN THE EVENT OF ANY DISPUTE AS TO THE PRIORITY OF USE OF THE PUBLIC RIGHT-OF-WAY, THE FIRST PRIORITY SHALL BE TO THE PUBLIC GENERALLY, THE SECOND PRIORITY TO THE CITY, THE THIRD PRIORITY TO THE STATE OF MICHIGAN AND ITS POLITICAL SUBDIVISIONS IN THE PERFORMANCE OF THEIR VARIOUS FUNCTIONS, AND THEREAFTER AS BETWEEN OTHER PERMIT, AGREEMENT OR FRANCHISE HOLDERS, AS DETERMINED (EXCEPT AS OTHERWISE PROVIDED BY LAW) BY THE CITY IN THE EXERCISE OF ITS POWERS, INCLUDING THE POLICE POWER AND OTHER POWERS RESERVED TO AND CONFERRED ON IT BY THE STATE OF MICHIGAN.

(b) 6.5 RESTORATION OF PROPERTY. PERMITTEE, ITS CONTRACTORS AND SUBCONTRACTORS SHALL IMMEDIATELY (SUBJECT TO SEASONAL WORK RESTRICTIONS) RESTORE, AT PERMITTEE'S SOLE EXPENSE, IN A MANNER APPROVED BY THE CITY, ANY PORTION OF THE PUBLIC RIGHT-OF-WAY THAT IS IN ANY WAY DISTURBED, DAMAGED, OR INJURED BY THE

CONSTRUCTION, INSTALLATION, OPERATION, MAINTENANCE OR REMOVAL OF THE FACILITIES TO A REASONABLY EQUIVALENT (OR, AT PERMITTEE'S OPTION, BETTER) CONDITION AS THAT WHICH EXISTED PRIOR TO THE DISTURBANCE. IN THE EVENT THAT PERMITTEE, ITS CONTRACTORS OR SUBCONTRACTORS FAIL TO MAKE SUCH REPAIR WITHIN A REASONABLE TIME, THE CITY MAY MAKE THE REPAIR AND PERMITTEE SHALL PAY THE COSTS THE CITY INCURRED FOR SUCH REPAIR.

(c) 6.6 MARKING. PERMITTEE SHALL MARK ITS FACILITIES INSTALLED AFTER THE EFFECTIVE DATE OF THIS ORDINANCE AS FOLLOWS: AERIAL PORTIONS OF THE FACILITIES SHALL BE MARKED WITH A MARKER ON PERMITTEE'S LINES ON ALTERNATE POLES WHICH SHALL STATE PERMITTEE'S NAME AND PROVIDE A TOLL-FREE NUMBER TO CALL FOR ASSISTANCE. DIRECT BURIED UNDERGROUND PORTIONS OF THE FACILITIES SHALL HAVE (1) A CONDUCTING WIRE PLACED IN THE GROUND AT LEAST SEVERAL INCHES ABOVE PERMITTEE'S CABLE (IF SUCH CABLE IS NONCONDUCTIVE); (2) AT LEAST SEVERAL INCHES ABOVE THAT, A CONTINUOUS COLORED TAPE WITH A STATEMENT TO THE EFFECT THAT THERE IS BURIED CABLE BENEATH; AND (3) STAKES OR OTHER APPROPRIATE ABOVE GROUND MARKERS WITH PERMITTEE'S NAME AND A TOLL-FREE NUMBER INDICATING THAT THERE IS BURIED CABLE BELOW. BORED UNDERGROUND PORTIONS OF THE FACILITIES SHALL HAVE A CONDUCTING WIRE AT THE SAME DEPTH AS THE CABLE AND SHALL NOT BE REQUIRED TO PROVIDE THE CONTINUOUS COLORED TAPE. PORTIONS OF THE FACILITIES LOCATED IN CONDUIT, INCLUDING CONDUIT OF OTHERS USED BY PERMITTEE, SHALL BE MARKED AT ITS ENTRANCE INTO AND EXIT FROM EACH MANHOLE AND HANDHOLE WITH PERMITTEE'S NAME AND A TOLL-FREE TELEPHONE NUMBER.

(d) 6.7 TREE TRIMMING. PERMITTEE MAY TRIM TREES UPON AND OVERHANGING THE PUBLIC RIGHT-OF-WAY SO AS TO PREVENT THE BRANCHES OF SUCH TREES FROM COMING INTO CONTACT WITH THE FACILITIES, CONSISTENT WITH ANY STANDARDS ADOPTED BY THE CITY. PERMITTEE SHALL DISPOSE OF ALL TRIMMED MATERIALS. PERMITTEE SHALL MINIMIZE THE TRIMMING OF TREES TO THAT ESSENTIAL TO MAINTAIN THE INTEGRITY OF THE FACILITIES. EXCEPT IN EMERGENCIES, ALL TRIMMING OF TREES IN THE PUBLIC RIGHT-OF-WAY SHALL HAVE THE ADVANCE APPROVAL OF MANAGER.

(e) 6.8 INSTALLATION AND MAINTENANCE. THE CONSTRUCTION AND INSTALLATION OF THE FACILITIES SHALL BE PERFORMED PURSUANT TO PLANS APPROVED BY THE CITY. THE OPEN CUT OF ANY PUBLIC RIGHT-OF-WAY SHALL BE COORDINATED WITH THE MANAGER OR MANAGER'S DESIGNEE.

PERMITTEE SHALL INSTALL AND MAINTAIN THE FACILITIES IN A REASONABLY SAFE CONDITION. IF THE EXISTING POLES IN THE PUBLIC RIGHT-OF-WAY ARE OVERBURDENED OR UNAVAILABLE FOR PERMITTEE'S USE, OR THE FACILITIES OF ALL USERS OF THE POLES ARE REQUIRED TO GO UNDERGROUND THEN PERMITTEE SHALL, AT ITS EXPENSE, PLACE SUCH PORTION OF ITS FACILITIES UNDERGROUND, UNLESS THE CITY APPROVES AN ALTERNATE LOCATION. PERMITTEE MAY PERFORM MAINTENANCE ON THE FACILITIES WITHOUT PRIOR APPROVAL OF THE CITY, PROVIDED THAT PERMITTEE SHALL OBTAIN ANY AND ALL PERMITS REQUIRED BY THE CITY IN THE EVENT THAT ANY MAINTENANCE WILL DISTURB OR BLOCK VEHICULAR TRAFFIC OR ARE OTHERWISE REQUIRED BY THE CITY.

- (f) 6.9 PAVEMENT CUT COORDINATION. PERMITTEE SHALL COORDINATE ITS CONSTRUCTION AND ALL OTHER WORK IN THE PUBLIC RIGHT-OF-WAY WITH THE CITY'S PROGRAM FOR STREET CONSTRUCTION AND REBUILDING (COLLECTIVELY "STREET CONSTRUCTION") AND ITS PROGRAM FOR STREET REPAVING AND RESURFACING (EXCEPT SEAL COATING AND PATCHING) (COLLECTIVELY, "STREET RESURFACING").

- (g) 6.9.1 THE GOALS OF SUCH COORDINATION SHALL BE TO ENCOURAGE PERMITTEE TO CONDUCT ALL WORK IN THE PUBLIC RIGHT-OF-WAY IN CONJUNCTION WITH OR IMMEDIATELY PRIOR TO ANY STREET CONSTRUCTION OR STREET RESURFACING PLANNED BY THE CITY.

- (h) 6.10 COMPLIANCE WITH LAWS. PERMITTEE SHALL COMPLY WITH ALL VALID AND ENFORCEABLE FEDERAL AND STATE STATUTES AND REGULATIONS; AND ALL VALID AND ENFORCEABLE LOCAL REGULATIONS REGARDING THE USE AND OCCUPATION OF THE PUBLIC RIGHT-OF-WAY, INCLUDING THE POLICE POWERS OF THE CITY; REGARDING THE CONSTRUCTION, INSTALLATION, AND MAINTENANCE OF ITS FACILITIES, NOW IN FORCE OR WHICH HEREAFTER MAY BE PROMULGATED. BEFORE ANY INSTALLATION IS COMMENCED, PERMITTEE SHALL SECURE ALL NECESSARY PERMITS, LICENSES AND APPROVALS FROM THE CITY OR OTHER GOVERNMENTAL ENTITY AS MAY BE REQUIRED BY LAW, INCLUDING, WITHOUT LIMITATION, ALL UTILITY LINE PERMITS AND HIGHWAY PERMITS. THE CITY SHALL NOT UNREASONABLY DELAY OR DENY ISSUANCE OF ANY SUCH PERMITS, LICENSES OR APPROVALS. PERMITTEE SHALL COMPLY IN ALL RESPECTS WITH APPLICABLE CODES AND INDUSTRY STANDARDS, INCLUDING BUT NOT LIMITED TO THE NATIONAL ELECTRICAL SAFETY CODE (LATEST EDITION ADOPTED BY MICHIGAN PUBLIC SERVICE COMMISSION) AND THE NATIONAL ELECTRIC CODE (LATEST EDITION). PERMITTEE SHALL COMPLY WITH

ALL ZONING AND LAND USE ORDINANCES AND HISTORIC PRESERVATION ORDINANCES AS MAY EXIST OR MAY HEREAFTER BE AMENDED. THIS SECTION DOES NOT CONSTITUTE A WAIVER OF PERMITTEE'S RIGHT TO CHALLENGE LAWS, STATUTES, ORDINANCES, RULES OR REGULATIONS NOW IN FORCE OR ESTABLISHED IN THE FUTURE.

- (i) 6.11 STREET VACATION. IF THE CITY VACATES OR CONSENTS TO THE VACATION OF PUBLIC RIGHT-OF-WAY WITHIN ITS JURISDICTION, AND SUCH VACATION NECESSITATES THE REMOVAL AND RELOCATION OF PERMITTEE'S FACILITIES IN THE VACATED PUBLIC RIGHT-OF-WAY, PERMITTEE SHALL CONSENT TO THE VACATION AND REMOVE ITS FACILITIES AT ITS SOLE COST AND EXPENSE WHEN ORDERED TO DO SO BY THE CITY OR A COURT OF COMPETENT JURISDICTION. PERMITTEE SHALL RELOCATE ITS FACILITIES TO SUCH ALTERNATE ROUTE AS THE CITY AND PERMITTEE MUTUALLY AGREE, APPLYING REASONABLE ENGINEERING STANDARDS.

- (j) 6.12 RELOCATION. IF THE CITY REQUESTS PERMITTEE TO RELOCATE, PROTECT, SUPPORT, DISCONNECT, OR REMOVE ITS FACILITIES BECAUSE OF STREET OR UTILITY WORK, OR OTHER PUBLIC PROJECTS, PERMITTEE SHALL RELOCATE, PROTECT, SUPPORT, DISCONNECT, OR REMOVE ITS FACILITIES, AT ITS SOLE COST AND EXPENSE, INCLUDING WHERE NECESSARY TO SUCH ALTERNATE ROUTE AS THE CITY AND PERMITTEE MUTUALLY AGREE, APPLYING REASONABLE ENGINEERING STANDARDS. THE WORK SHALL BE COMPLETED WITHIN A REASONABLE TIME PERIOD.

- (k) 6.13 PUBLIC EMERGENCY. THE CITY SHALL HAVE THE RIGHT TO SEVER, DISRUPT, DIG-UP OR OTHERWISE DESTROY FACILITIES OF PERMITTEE IF SUCH ACTION IS NECESSARY BECAUSE OF A PUBLIC EMERGENCY. IF REASONABLE TO DO SO UNDER THE CIRCUMSTANCES, THE CITY SHALL ATTEMPT TO PROVIDE NOTICE TO PERMITTEE. PUBLIC EMERGENCY SHALL BE ANY CONDITION WHICH POSES AN IMMEDIATE THREAT TO LIFE, HEALTH, OR PROPERTY CAUSED BY ANY NATURAL OR MAN-MADE DISASTER, INCLUDING, BUT NOT LIMITED TO, STORMS, FLOODS, FIRE, ACCIDENTS, EXPLOSIONS, WATER MAIN BREAKS, HAZARDOUS MATERIAL SPILLS, ETC. PERMITTEE SHALL BE RESPONSIBLE FOR REPAIR AT ITS SOLE COST AND EXPENSE OF ANY OF ITS FACILITIES DAMAGED PURSUANT TO ANY SUCH ACTION TAKEN BY THE CITY.

- (l) 6.14 MISS DIG. IF ELIGIBLE TO JOIN, PERMITTEE SHALL SUBSCRIBE TO AND BE A MEMBER OF "MISS DIG," THE ASSOCIATION OF UTILITIES FORMED PURSUANT TO ACT 53 OF THE PUBLIC ACTS OF 1974, AS AMENDED, MCL § 460.701 ET SEQ., AND SHALL CONDUCT ITS

BUSINESS IN CONFORMANCE WITH THE STATUTORY PROVISIONS AND REGULATIONS PROMULGATED THEREUNDER.

- (m) 6.15 UNDERGROUND RELOCATION. IF PERMITTEE HAS ITS FACILITIES ON POLES OF THE BOARD OF WATER AND LIGHT, CONSUMERS ENERGY, DETROIT EDISON OR ANOTHER ELECTRIC OR TELECOMMUNICATIONS PROVIDER AND THE BOARD OF WATER AND LIGHT, CONSUMERS ENERGY, DETROIT EDISON OR SUCH OTHER ELECTRIC OR TELECOMMUNICATIONS PROVIDER RELOCATES ITS SYSTEM UNDERGROUND, THEN PERMITTEE SHALL RELOCATE ITS FACILITIES UNDERGROUND IN THE SAME LOCATION AT PERMITTEE'S SOLE COST AND EXPENSE.

- (n) 6.16 IDENTIFICATION. ALL PERSONNEL OF PERMITTEE AND ITS CONTRACTORS OR SUBCONTRACTORS WHO HAVE AS PART OF THEIR NORMAL DUTIES CONTACT WITH THE GENERAL PUBLIC SHALL WEAR ON THEIR CLOTHING A CLEARLY VISIBLE IDENTIFICATION CARD BEARING THEIR NAME AND PHOTOGRAPH AND PERMITTEE SHALL ACCOUNT FOR ALL IDENTIFICATION CARDS AT ALL TIMES. EVERY SERVICE VEHICLE OF PERMITTEE AND ITS CONTRACTORS OR SUBCONTRACTORS SHALL BE CLEARLY IDENTIFIED TO THE PUBLIC AS SUCH BY A MAGNETIC SIGN BEARING THE PERMITTEE'S NAME AND TELEPHONE NUMBER.

7.0 INDEMNIFICATION:

- (o) 7.1 INDEMNITY. PERMITTEE SHALL DEFEND, INDEMNIFY, PROTECT, AND HOLD HARMLESS THE CITY, ITS OFFICERS, AGENTS, EMPLOYEES, ELECTED AND APPOINTED OFFICIALS, DEPARTMENTS, BOARDS, AND COMMISSIONS FROM ANY AND ALL CLAIMS, LOSSES, LIABILITIES, CAUSES OF ACTION, DEMANDS, JUDGMENTS, DECREES, PROCEEDINGS, AND EXPENSES OF ANY NATURE (COLLECTIVELY "CLAIMS") (INCLUDING, WITHOUT LIMITATION, ATTORNEYS' FEES) ARISING OUT OF OR RESULTING FROM THE ACTS OR OMISSIONS OF PERMITTEE, ITS OFFICERS, AGENTS, EMPLOYEES, CONTRACTORS, SUCCESSORS, OR ASSIGNS, BUT ONLY TO THE EXTENT SUCH ACTS OR OMISSIONS ARE RELATED TO PERMITTEE'S USE OF OR INSTALLATION OF FACILITIES IN THE PUBLIC RIGHT-OF-WAY AND ONLY TO THE EXTENT OF THE FAULT OR RESPONSIBILITY OF PERMITTEE, ITS OFFICERS, AGENTS, EMPLOYEES, CONTRACTORS, SUCCESSORS AND ASSIGNS.

- 7.2 NOTICE, COOPERATION. THE CITY SHALL NOTIFY PERMITTEE PROMPTLY IN WRITING OF ANY SUCH CLAIMS AND THE METHOD AND MEANS PROPOSED BY THE CITY FOR DEFENDING OR SATISFYING ANY SUCH CLAIMS. THE CITY SHALL COOPERATE WITH PERMITTEE IN EVERY REASONABLE WAY TO FACILITATE THE DEFENSE OF ANY SUCH CLAIMS. THE CITY SHALL CONSULT WITH

PERMITTEE REGARDING THE DEFENSE AND SATISFACTION OF SUCH CLAIMS, INCLUDING THE SELECTION AND DIRECTION OF LEGAL COUNSEL.

- 7.3 SETTLEMENT. THE CITY SHALL NOT SETTLE ANY CLAIM SUBJECT TO INDEMNIFICATION UNDER THE PRECEDING TWO SECTIONS WITHOUT THE ADVANCE WRITTEN CONSENT OF PERMITTEE, WHICH CONSENT SHALL NOT BE UNREASONABLY WITHHELD. PERMITTEE SHALL HAVE THE RIGHT TO DEFEND OR SETTLE, AT ITS OWN EXPENSE, ANY CLAIM AGAINST THE CITY FOR WHICH PERMITTEE IS RESPONSIBLE HEREUNDER.

8.0 INSURANCE:

- 8.1 COVERAGE REQUIRED. PRIOR TO BEGINNING ANY CONSTRUCTION IN OR INSTALLATION OF PERMITTEE'S FACILITIES IN THE PUBLIC RIGHT-OF-WAY, PERMITTEE SHALL OBTAIN INSURANCE AS SET FORTH BELOW AND FILE CERTIFICATES EVIDENCING SAME WITH THE CITY. SUCH INSURANCE SHALL BE MAINTAINED IN FULL FORCE AND EFFECT UNTIL THE END OF THE TERM OF THE FRANCHISE AGREEMENT. IN THE ALTERNATIVE, PERMITTEE MAY SATISFY THIS REQUIREMENT THROUGH A PROGRAM OF SELF-INSURANCE, ACCEPTABLE TO THE CITY, BY PROVIDING REASONABLE EVIDENCE OF ITS FINANCIAL RESOURCES TO THE CITY. THE CITY'S ACCEPTANCE OF SUCH SELF-INSURANCE SHALL NOT BE UNREASONABLY WITHHELD.

- 8.1.1 COMMERCIAL GENERAL LIABILITY INSURANCE, INCLUDING COMPLETED OPERATIONS LIABILITY, INDEPENDENT CONTRACTORS LIABILITY, CONTRACTUAL LIABILITY COVERAGE, RAILROAD PROTECTIVE COVERAGE AND COVERAGE FOR PROPERTY DAMAGE FROM PERILS OF EXPLOSION, COLLAPSE OR DAMAGE TO UNDERGROUND UTILITIES, COMMONLY KNOWN AS XCU COVERAGE, IN AN AMOUNT NOT LESS THAN FIVE MILLION DOLLARS (\$5,000,000).

- 8.1.2 LIABILITY INSURANCE FOR SUDDEN AND ACCIDENTAL ENVIRONMENTAL CONTAMINATION WITH MINIMUM LIMITS OF FIVE HUNDRED THOUSAND DOLLARS (\$500,000) AND PROVIDING COVERAGE FOR CLAIMS DISCOVERED WITHIN THREE (3) YEARS AFTER THE TERM OF THE POLICY. PURSUANT TO THE 2006 MPSC DECISION IN CASE U-14720, PERMITTEE NEED NOT COMPLY WITH THE PRECEDING SENTENCE UNTIL SUCH TIME AFTER THE EFFECTIVE DATE OF THIS ORDINANCE THAT IT DECIDES TO PLACE ANY NEW OR EXISTING FACILITIES UNDERGROUND WITHIN

THE PUBLIC RIGHT-OF-WAY IN THE CITY.

- 8.1.3 AUTOMOBILE LIABILITY INSURANCE IN AN AMOUNT NOT LESS THAN ONE MILLION DOLLARS (\$1,000,000).
- 8.1.4 WORKERS' COMPENSATION AND EMPLOYER'S LIABILITY INSURANCE WITH STATUTORY LIMITS, AND ANY APPLICABLE FEDERAL INSURANCE OF A SIMILAR NATURE.
- 8.1.5 THE COVERAGE AMOUNTS SET FORTH ABOVE MAY BE MET BY A COMBINATION OF UNDERLYING (PRIMARY) AND UMBRELLA POLICIES SO LONG AS IN COMBINATION THE LIMITS EQUAL OR EXCEED THOSE STATED. IF MORE THAN ONE INSURANCE POLICY IS PURCHASED TO PROVIDE THE COVERAGE AMOUNTS SET FORTH ABOVE, THEN ALL POLICIES PROVIDING COVERAGE LIMITS EXCESS TO THE PRIMARY POLICY SHALL PROVIDE DROP DOWN COVERAGE TO THE FIRST DOLLAR OF COVERAGE AND OTHER CONTRACTUAL OBLIGATIONS OF THE PRIMARY POLICY, SHOULD THE PRIMARY POLICY CARRIER NOT BE ABLE TO PERFORM ANY OF ITS CONTRACTUAL OBLIGATIONS OR NOT BE COLLECTIBLE FOR ANY OF ITS COVERAGES FOR ANY REASON DURING THE TERM OF THE FRANCHISE AGREEMENT, OR (WHEN LONGER) FOR AS LONG AS COVERAGE COULD HAVE BEEN AVAILABLE PURSUANT TO THE TERMS AND CONDITIONS OF THE PRIMARY POLICY.
- 8.2 ADDITIONAL INSURED. THE CITY SHALL BE NAMED AS AN ADDITIONAL INSURED ON ALL INSURANCE POLICIES (OTHER THAN WORKER'S COMPENSATION AND EMPLOYER'S LIABILITY). ALL INSURANCE POLICIES SHALL PROVIDE THAT THEY SHALL NOT BE CANCELED, MODIFIED OR NOT RENEWED UNLESS THE INSURANCE CARRIER PROVIDES THIRTY (30) DAYS PRIOR WRITTEN NOTICE TO THE CITY. PERMITTEE SHALL ANNUALLY PROVIDE THE CITY WITH A CERTIFICATE OF INSURANCE EVIDENCING SUCH COVERAGE. ALL INSURANCE POLICIES (OTHER THAN ENVIRONMENTAL CONTAMINATION, WORKERS' COMPENSATION AND EMPLOYER'S LIABILITY INSURANCE) SHALL BE WRITTEN ON AN OCCURRENCE BASIS AND NOT ON A CLAIMS MADE BASIS.
- 8.3 QUALIFIED INSURERS. ALL INSURANCE SHALL BE ISSUED BY INSURANCE CARRIERS LICENSED TO DO BUSINESS BY THE STATE OF MICHIGAN OR BY SURPLUS LINE CARRIERS ON THE MICHIGAN INSURANCE COMMISSION APPROVED LIST OF COMPANIES QUALIFIED TO DO BUSINESS IN MICHIGAN. ALL

INSURANCE AND SURPLUS LINE CARRIERS SHALL BE RATED A+ OR BETTER BY A.M. BEST COMPANY.

- 8.4 DEDUCTIBLES. IF THE INSURANCE POLICIES REQUIRED BY THIS ORDINANCE ARE WRITTEN WITH RETAINAGES OR DEDUCTIBLES IN EXCESS OF \$50,000, THEY SHALL BE APPROVED BY MANAGER IN ADVANCE IN WRITING. PERMITTEE SHALL INDEMNIFY AND SAVE HARMLESS THE CITY FROM AND AGAINST THE PAYMENT OF ANY DEDUCTIBLE AND FROM THE PAYMENT OF ANY PREMIUM ON ANY INSURANCE POLICY REQUIRED TO BE FURNISHED HEREUNDER.
- 8.5 CONTRACTORS. PERMITTEE'S CONTRACTORS AND SUBCONTRACTORS WORKING IN THE PUBLIC RIGHT-OF-WAY SHALL CARRY IN FULL FORCE AND EFFECT COMMERCIAL GENERAL LIABILITY, ENVIRONMENTAL CONTAMINATION LIABILITY, AUTOMOBILE LIABILITY AND WORKERS' COMPENSATION AND EMPLOYER LIABILITY INSURANCE WHICH COMPLIES WITH ALL TERMS OF THIS PART 8. IN THE ALTERNATIVE, PERMITTEE, AT ITS EXPENSE, MAY PROVIDE SUCH COVERAGES FOR ANY OR ALL ITS CONTRACTORS OR SUBCONTRACTORS (SUCH AS BY ADDING THEM TO PERMITTEE'S POLICIES).
- 8.6 INSURANCE PRIMARY. PERMITTEE'S INSURANCE COVERAGE SHALL BE PRIMARY INSURANCE WITH RESPECT TO THE CITY, ITS OFFICERS, AGENTS, EMPLOYEES, ELECTED AND APPOINTED OFFICIALS, DEPARTMENTS, BOARDS, AND COMMISSIONS (COLLECTIVELY "THEM"). ANY INSURANCE OR SELF-INSURANCE MAINTAINED BY ANY OF THEM SHALL BE IN EXCESS OF PERMITTEE'S INSURANCE AND SHALL NOT CONTRIBUTE TO IT (WHERE "INSURANCE OR SELF-INSURANCE MAINTAINED BY ANY OF THEM" INCLUDES ANY CONTRACT OR AGREEMENT PROVIDING ANY TYPE OF INDEMNIFICATION OR DEFENSE OBLIGATION PROVIDED TO, OR FOR THE BENEFIT OF THEM, FROM ANY SOURCE, AND INCLUDES ANY SELF-INSURANCE PROGRAM OR POLICY, OR SELF-INSURED RETENTION OR DEDUCTIBLE BY, FOR OR ON BEHALF OF THEM).
- 9.0 PERFORMANCE BOND OR LETTER OF CREDIT:
- 9.1 MUNICIPAL REQUIREMENT. THE CITY MAY REQUIRE PERMITTEE TO POST A BOND (OR LETTER OF CREDIT), IN THE AMOUNT PROVIDED IN SECTION 15(3) OF THE METRO ACT, AS AMENDED [MCL § 484.3115(3)].
- 10.0 REMOVAL:
- 10.1 REMOVAL; UNDERGROUND. AS SOON AS PRACTICABLE AFTER THE TERM OF THE FRANCHISE AGREEMENT EXPIRES, PERMITTEE OR ITS SUCCESSORS AND ASSIGNS SHALL REMOVE ANY UNDERGROUND CABLE OR OTHER PORTIONS OF PERMITTEE'S FACILITIES FROM THE PUBLIC RIGHT-OF-WAY WHICH

HAS BEEN INSTALLED IN SUCH A MANNER THAT IT CAN BE REMOVED WITHOUT TRENCHING OR OTHER OPENING OF THE PUBLIC RIGHT-OF-WAY. PERMITTEE SHALL NOT REMOVE ANY UNDERGROUND CABLE OR OTHER PORTIONS OF THE FACILITIES WHICH REQUIRES TRENCHING OR OTHER OPENING OF THE PUBLIC RIGHT-OF-WAY EXCEPT WITH THE PRIOR WRITTEN APPROVAL OF MANAGER. ALL REMOVALS SHALL BE AT PERMITTEE'S SOLE COST AND EXPENSE.

10.1.1 FOR PURPOSES OF SECTION 10.1, "CABLE" MEANS ANY WIRE, COAXIAL CABLE, FIBER OPTIC CABLE, FEED WIRE OR PULL WIRE.

10.2 REMOVAL: ABOVE GROUND. AS SOON AS PRACTICABLE AFTER THE EXPIRATION OF THE TERM OF A FRANCHISE AGREEMENT, PERMITTEE, OR ITS SUCCESSOR OR ASSIGNS AT ITS SOLE COST AND EXPENSE, SHALL, UNLESS WAIVED IN WRITING BY MANAGER, REMOVE FROM THE PUBLIC RIGHT-OF-WAY ALL ABOVE GROUND ELEMENTS OF ITS FACILITIES, INCLUDING BUT NOT LIMITED TO POLES, PEDESTAL-MOUNTED TERMINAL BOXES, AND LINES ATTACHED TO OR SUSPENDED FROM POLES.

10.3 SCHEDULE. THE SCHEDULE AND TIMING OF REMOVAL SHALL BE SUBJECT TO APPROVAL BY MANAGER. UNLESS EXTENDED BY MANAGER, REMOVAL SHALL BE COMPLETED NOT LATER THAN TWELVE (12) MONTHS FOLLOWING THE EXPIRATION OF THE TERM OF THE FRANCHISE AGREEMENT. PORTIONS OF PERMITTEE'S FACILITIES IN THE PUBLIC RIGHT-OF-WAY THAT ARE NOT REMOVED WITHIN SUCH TIME PERIOD SHALL BE DEEMED ABANDONED AND, AT THE OPTION OF THE CITY EXERCISED BY WRITTEN NOTICE TO PERMITTEE AT THE ADDRESS PROVIDED FOR IN THE FRANCHISE AGREEMENT, TITLE TO THE PORTIONS DESCRIBED IN SUCH NOTICE SHALL VEST IN THE CITY.

11.0 OTHER ITEMS:

11.1 DUTIES. PERMITTEES SHALL FAITHFULLY PERFORM ALL DUTIES REQUIRED BY THIS ORDINANCE.

11.2 DIFFERENT TERMS. THE ACT ALLOWS LOCAL UNITS OF GOVERNMENT AND VIDEO SERVICE PROVIDERS TO ENTER INTO VOLUNTARY FRANCHISE AGREEMENTS THAT INCLUDE TERMS AND CONDITIONS WHICH ARE DIFFERENT FROM THOSE REQUIRED UNDER THE ACT OR WHICH ARE DIFFERENT FROM THOSE IN THE STANDARDIZED, UNIFORM FORM OF FRANCHISE AGREEMENT ESTABLISHED BY THE MPSC. THE METRO ACT ALLOWS MUNICIPALITIES AND PROVIDERS TO MUTUALLY AGREE TO METRO ACT PERMIT TERMS DIFFERING FROM THOSE IN THE STANDARD FORMS OF METRO ACT PERMIT

APPROVED BY THE MPSC. CURRENT OR PROSPECTIVE PERMITTEES WHO DESIRE TERMS DIFFERENT FROM THOSE IN THIS ORDINANCE, AS APPLIED TO THEM, SHOULD REQUEST SUCH A VOLUNTARY FRANCHISE AGREEMENT OR A MUTUALLY AGREED TO METRO ACT PERMIT FROM THE CITY.

11.3 INTERPRETATION AND SEVERABILITY. THE PROVISIONS OF THIS ORDINANCE SHALL BE LIBERALLY CONSTRUED TO PROTECT AND PRESERVE THE PEACE, HEALTH, SAFETY AND WELFARE OF THE PUBLIC, AND SHOULD ANY PROVISION OR SECTION OF THIS ORDINANCE BE HELD UNCONSTITUTIONAL, INVALID, OVERBROAD OR OTHERWISE UNENFORCEABLE, SUCH DETERMINATION/HOLDING SHALL NOT BE CONSTRUED AS AFFECTING THE VALIDITY OF ANY OF THE REMAINING CONDITIONS OF THIS ORDINANCE. IF ANY PROVISION IN THIS ORDINANCE IS FOUND TO BE PARTIALLY OVERBROAD, UNENFORCEABLE, OR INVALID, PERMITTEE AND THE CITY MAY NEVERTHELESS ENFORCE SUCH PROVISION TO THE EXTENT PERMITTED UNDER APPLICABLE LAW.

11.4 VIOLATIONS. A PERMITTEE WHO VIOLATES ANY PROVISION OF THIS ORDINANCE IS RESPONSIBLE FOR A MUNICIPAL CIVIL INFRACTION AND SHALL BE SUBJECT TO SANCTIONS AS ESTABLISHED IN ORDINANCE 202.99(C). NOTHING IN THIS SECTION SHALL BE CONSTRUED TO LIMIT THE REMEDIES AVAILABLE TO THE CITY IN THE EVENT OF A VIOLATION BY A PERMITTEE OF THIS ORDINANCE.

Section 2. All ordinances, resolutions or rules, parts of ordinances, resolutions or rules inconsistent with the provisions hereof are hereby repealed.

Section 3. Should any section, clause or phrase of this ordinance be declared to be invalid, the same shall not affect the validity of the ordinance as a whole, or any part thereof other than the part so declared to be invalid.

Section 4. This ordinance shall take effect on the 30th day after enactment unless given immediate effect by City Council.

REPORTS FROM CITY OFFICERS, BOARDS, AND COMMISSIONS; COMMUNICATIONS AND PETITIONS; AND OTHER CITY RELATED MATTERS

By Councilmember Jeffries that all items be considered as being read in full and that President Leeman make the appropriate referrals

Motion Carried

Reports from City Officers, Board and Commissions:

a. Letter from the City Clerk submitting minutes of Boards and Authorities placed on file in the City Clerk's Office

RECEIVED AND PLACED ON FILE

b. Letters from the Mayor re:

- i. Transfer of Funds; State & Federal Programs, 0-08 VOCACARE Grand Project, Wages-Temporary Help

REFERRED TO THE COMMITTEE ON WAYS AND MEANS AND INTERNAL AUDIT

- ii. Transfer of Funds; State & Federal Programs, Automobile Theft Prevention Authority Grant

REFERRED TO THE COMMITTEE ON WAYS AND MEANS AND INTERNAL AUDIT

- iii. Transfer of Funds; State & Federal Programs, Police - CARE - "Power of We" Capacity Building

REFERRED TO THE COMMITTEE ON WAYS AND MEANS AND INTERNAL AUDIT

- iv. Application for Industrial Facilities Tax (IFT) Exemption Certificate filed by BRD Printing, Inc. for property located at 912 W. St. Joseph Ave.

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

- v. Transfer of 2007 Tax Foreclosed Properties

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

• Communications and Petitions and Other City Related Matters:

- a. Letter from Comcast Cable providing notice of digital format transitioning for public, education and government programming by January 15, 2008

REFERRED TO THE CITY ATTORNEY

- b. Letter from Sally Kikkert of Ferris Park Towers, in opposition to a Noise Ordinance Waiver for the 2008 construction season

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

- c. Petition containing eighty (80) signature in opposition to Public Improvement I; Curb and Gutter, Sidewalk and necessary Storm Drainage Facilities on Northrup St., from Washington Ave. to Cedar St.

*SUSPENSION ITEM-REFERRED TO THE COMMITTEE ON PUBLIC SERVICES

- d. Letter from Bill Brandon of 817 S. Dexter Dr. requesting an extension of fall leaf collection by the City's Waste Reduction Services

*SUSPENSION ITEM-REFERRED TO THE MAYOR

- e. Letter from Kathy Tobe, President of Churchill Downs Community Association in support of the use of surveillance camera in the City

*SUSPENSION ITEM-REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

MOTION OF EXCUSED ABSENCE

By Councilmember Wood

To excuse Councilmember Allen from tonight's proceedings

Motion Carried

REMARKS BY COUNCILMEMBERS

Councilmember Dunbar wished President Leeman a Happy 50th Birthday.

ADJOURNED TIME 11:40 P.M.

CHRIS SWOPE, CITY CLERK



**OFFICIAL PROCEEDINGS OF
THE CITY COUNCIL
CITY OF LANSING
PROCEEDINGS OF DECEMBER 3, 2007**

SPECIAL CEREMONIES

City Council Chambers
Lansing, Michigan

The City Council of the City of Lansing met in regular session and was called to order at 7:00 p.m. by President Leeman.

PRESENT: Councilmembers Jeffries, Kaltenbach, Leeman, Matt, Quinney, Wood

ABSENT: Councilmembers Allen and Dunbar

The Council observed a moment of Meditation followed by the Pledge of Allegiance led by President Leeman

CONSIDERATION OF LATE ITEMS

By Vice President Jeffries

To suspend City Council Rule #11 to allow for Consideration of Late Items

Motion carried

The following items were added to the agenda:

1. From Councilmember Kaltenbach; Letter from Stan Shuck, no address given, in opposition to a Noise Waiver during the school year in the CSO 034A Project Area
2. From Councilmember Quinney; Resolution encouraging the Mayor to enter into a Project Labor Agreement for the Combined Sewer Overflow Project 2008/2009 construction season
3. From Councilmember Jeffries; Letter from Capital Area Transportation Authority (CATA) requesting exemption of their millage from Neighborhood Enterprise Zone #22 – Kalamazoo Corridor
4. From Councilmember Jeffries; Letter from Capital Area Transportation Authority (CATA) requesting exemption of their millage from an Obsolete Property Rehabilitation Act (OPRA) District for property located at 1030 S. Holmes St.
5. From Councilmember Jeffries; Letter from Capital Area Transportation Authority (CATA) requesting exemption of their millage from PPE-01-07; 5400 Aurelius Rd.
6. From Councilmember Jeffries; Letter from Sarah Taber of Lansing Twp. in support of Z-5-2007; 600 S. Capitol Ave.
7. From Councilmember Jeffries; Letter from Francis O'Donnell of 16875 Black Walnut Ln., East Lansing, MI in support of Z-5-2007; 600 S. Capitol Ave.
8. From Councilmember Jeffries; Letter from Bill Knapp, no address given, in support of Z-5-2007; 600 S. Capitol Ave.
9. From Councilmember Jeffries; Letter from Rhonda Miller, 4271 Burning Bush Drive, Okemos, MI in support of Z-5-2007; 600 S. Capitol Ave.

• Special Ceremonies

1. Tribute; Congratulating Hill's Home Cured Cheese on their 46th Anniversary

City Clerk Swope read the following Resolution:

RESOLUTION#481

BY COUNCILMEMBER TIM KALTENBACH
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Glenn Hill, Sr. was born in April of 1938; in August of the same year, a dedication was held for the Lansing City Market; and

WHEREAS, the City Market played an important role in Glenn's childhood and throughout his life; and

WHEREAS, Glenn graduated from the Lansing Business University (Davenport College) with the Class of 1958 with a Major in real estate and is currently a licensed real estate broker; and

WHEREAS, in 1961, Glenn focused his efforts on opening a booth selling cheese at the "Market"; and

WHEREAS, Glenn was very active in the City Market's business and served as Chair to the Market Vendors Committee; and

WHEREAS, Glenn represented the vendors in 1986 during transitional planning of the "Market" and in 1990 served on the Market Renovation Committee and in 1993 served on the Market Board and on the Vendors Committee as Chair; and

WHEREAS, his dedication to the Market was clearly evident, in 1991 he started the Friends of the Market and made all City Councilmembers and Mayor honorary members; and

WHEREAS, Glenn is celebrating 46 years in the cheese and market promotion business at the Lansing City Market on December 1, 2007;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council expresses our deepest appreciation to Glenn Hill, Sr. for his dedication to the Lansing City Market and his customers and congratulates him on his 46th Anniversary in the "cheese business" at the Lansing City Market;

BE IT FURTHER RESOLVED that the Lansing City Council declares Saturday, December 1, 2007, Glenn Hill, Sr. "Cheese Master" Day!

By Councilmember Kaltenbach

Motion Carried

Councilmember Kaltenbach stated that Glen Hill has been selling cheese at the Lansing City Market for the past 46 years. He thanked Glen and his family for all the many years they have served the residents of the City.

Glen Hill thanked everyone who has made this honor possible. He said the City Market means a lot to him and his family. He said that he is the 3rd generation member of his family operating a business in the City Market and he hopes that we can keep the market going.

2. Presentation; City of Lansing September and October Retirees

Councilmember Wood stated that Curt Baker has served over 24 years with the Lansing Fire Department. She said we appreciate all of his years of service to the citizens of Lansing.

Curt Baker thanked Councilmember Wood and the City Council for his honor. He said it has been a privilege serving Lansing.

COUNCILMEMBERS' COMMENTS AND CITY CLERK'S ANNOUNCEMENTS:

Councilmember Kaltenbach thanked Kelly Younglove of the Lansing Police Department for assisting a resident to get to his place of employment at Comerica Bank. He said that the resident is blind and was let off at a different bus stop than normal and he was confused. Kelly saw him out front of City Hall and helped him get where he needed to go. He stated that Kelly should be considered as a candidate for the Hometown Hero Award.

Councilmember Quinney announced the Blue Light Players Holiday Review event to raise funds for the fallen Police Officers. He announced the Christmas Gift Wrapping event at Friendship Baptist Church and the Old Newsboys Newspaper sale.

Councilmember Wood announced the Eastside Neighborhood Association's annual Christmas party and the Genesee Neighborhood Association Christmas potluck dinner. She announced the Not So Silent Night Art Group annual event. She stated that the Impression 5 Science Museum will be hosting a number of events that will pertain to the moon.

Councilmember Matt announced that Urban Options will be offering weatherproofing materials to residents to prepare their homes for the winter weather.

City Clerk Swope stated that the permanent absentee voters will be receiving their ballot applications in the mail shortly. He said that voters are required to indicate which party ballot they would like to receive. He said we have separate ballots for each party.

SPEAKER REGISTRATION FOR PUBLIC COMMENT

Clerk Swope announced that the public comment registration form(s) for those intending to address Council on legislative or City government matters will be collected and that only those persons who have fully completed the form(s) will be permitted to speak.

The Council returned to the order of:

SPECIAL CEREMONIES

3. Presentation; Mayor's Hometown Hero Award to Jessica Yorko

Mayor Bernero stated that Jessica Yorko has been a huge inspiration to the City of Lansing. He said that when good things happen, Jessica is somewhere close. He said it is his honor to present a guardian angel award. He thanked Jessica for all she has done.

Jessica Yorko thanked the Mayor for this honor. She said that she and her family were on vacation recently and could not wait to get back to Lansing. She said she is proud to call Lansing home.

President Leeman recognized Santa Claus, who wished everyone a Merry Christmas and a Happy New Year.

MAYOR'S COMMENTS

Mayor Bernero stated that last week he joined Governor Granholm, State Senator Gretchen Whitmer and State Representative Joan Bauer, at the Grand River Assembly Plant here in Lansing to celebrate the 2008 Motor Trend Car of the Year – the Lansing-built Cadillac CTS. He congratulated our November Employee of the Month – Karen Schmidt;

Karen is the manager of City TV operations. He announced that tomorrow he will join Jamie Schriner-Hooper, Executive Director of the Old Town Commercial Association, to celebrate the grand opening of more than a dozen new businesses in Old Town, the arts and culture capital of the Capital City. He spoke in support of the five public hearings on tonight's agenda. He reminded City employees once again that the City of Lansing and the Board of Water and Light are in a fierce but friendly competition to collect toys for the 60th annual Toys for Tots campaign.

SHOW CAUSE HEARINGS

- Comment on Scheduled Show Cause Hearings:

There were no Show Cause Hearings

PUBLIC COMMENT ON LEGISLATIVE MATTERS

- Public Comment on Legislative Matters:

Legislative Matters included the following public hearings:

1. In consideration of an Obsolete Property Rehabilitation Act (OPRA) District Application filed by Zander Management, for property located at 309 Clinton St.
2. In consideration of an Obsolete Property Rehabilitation Act (OPRA) District Application filed by Spartan Internet Consultants for property located at 1030 S. Holmes St.
3. In consideration of Z-5-2007; 600 S. Capitol Ave., a request filed by AnnaBelle & Associates, Inc. for rezoning from "D-1" Professional Office District to "F-1" Commercial District to construct an addition to the building, improve the parking area and establish a day care center for dogs with available overnight care, grooming services, and a small retail pet store
4. In consideration of Neighborhood Enterprise Zone #22 – Kalamazoo Corridor; Cedar Street to the West; Hosmer street to the East; the north line of parcels from 33-01-01-16-427 on the east and 33-01-01-15-309-102 on the west to the North; the south line of parcel 33-01-01-16-477-903; East Hillsdale Street, south line of parcel 33-01-01-15-351-011, and the south line of 33-01-01-15-351-051 to the South
5. In consideration of PPE-01-07; 5400 Aurelius Rd., Application for Exemption of New Personal Property filed by Barnes Aerospace

Vice President Jeffries gave a brief overview of all 5 Public Hearings.

Ryan Vartoogian of 115 W. Allegan St. spoke in support of the OPRA request for Spartan Internet Consultants.

John MacIlroy of 620 S. Capitol Ave. spoke in opposition to the rezoning request for 600 S. Capitol Ave.

George Stockman of Michigan State University, East Lansing, MI., spoke in support of the tax abatement for Spartan Internet Consultants.

Dave Hollister of 1943 Byrnes Rd. spoke in support of the OPRA request for Spartan Internet Consultants.

Ken Jones of 1114 S. Washington Ave. spoke in support of the rezoning request for the Day Care Center for dogs.

David Grande-Cassell of Michigan Manufacturer's Association, Lansing, MI., spoke in opposition to the rezoning request for 600 S.

Capitol Ave.

Ann Andrews of AnnaBelle's spoke in support of the rezoning request for 600 S. Capitol Ave.

David Pierson of 1305 S. Washington Ave. spoke in support of the rezoning request for 600 S. Capitol Ave.

Roger Thornburg of 611 S. Capitol Ave. spoke in support of the rezoning request for 600 S. Capitol Ave. He said this is what this neighborhood needs.

Kevin Green of the Principal Shopping District spoke in support of the NEZ request for the Kalamazoo Corridor.

Dan Peterson of Chicago, IL, spoke in support of the request filed by Barnes Aerospace.

Lorna Elliott of 2209 S. Washington Ave. spoke in support of the rezoning request filed by AnnaBelle.

Tony Schmidt of 6200 W. Reynolds St., spoke in opposition to the rezoning request for 600 S. Capitol Ave.

Amy Zander of 309 Clinton St. spoke in support of the OPRA request filed by Zander Management. She said that she is the owner and is looking forward to working with the residents.

Darnell E. Oldham Sr. of 3815 Berwick Dr. spoke in support of the OPRA request for Zander Management. He spoke in support of Spartan Internet Consultants and the rezoning request.

Christine Timmon of 2519 Washington Ave. spoke in support of Spartan Internet Consultants and Zander Management. She spoke in opposition to the rezoning request for 600 S. Capitol Ave.

Angela Brown of 600 S. Capitol Ave. spoke in support of the rezoning for 600 S. Capitol Ave. She said this works with the comprehension plan for Lansing.

Shawn Elliott of 9266 Oakdale Dr. spoke in support of NEZ #22. He spoke in support of Spartan Internet's request.

Gene Townsend of 815 Bancroft Ct. spoke in support of NEZ #22. He gave additional information regarding the NEZ.

Charlene Decker of 2711 Pleasant Grove Rd. spoke in support of NEZ #22. She said this will be good for the City.

REFERRAL OF PUBLIC HEARINGS

1. In consideration of an Obsolete Property Rehabilitation Act (OPRA) District Application filed by Zander Management, for property located at 309 Clinton St.

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

2. In consideration of an Obsolete Property Rehabilitation Act (OPRA) District Application filed by Spartan Internet Consultants for property located at 1030 S. Holmes St.

*SUSPENSION ITEM- Letter from Capital Area Transportation Authority (CATA) requesting exemption of their millage from an Obsolete Property Rehabilitation Act (OPRA) District for property located at 1030 S. Holmes St.

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

3. In consideration of Z-5-2007; 600 S. Capitol Ave., a request filed by AnnaBelle & Associates, Inc. for rezoning from "D-1" Professional Office District to "F-1" Commercial District to

construct an addition to the building, improve the parking area and establish a day care center for dogs with available overnight care, grooming services, and a small retail pet store

*SUSPENSION ITEM-Letter from Sarah Taber of Lansing Twp. in support of Z-5-2007; 600 S. Capitol Ave.

*SUSPENSION ITEM-Letter from Francis O'Donnell of 16875 Black Walnut Ln., East Lansing, MI in support of Z-5-2007; 600 S. Capitol Ave.

*SUSPENSION ITEM-letter from Bill Knapp, no address given, in support of Z-5-2007; 600 S. Capitol Ave.

*SUSPENSION ITEM-Letter from Rhonda Miller, 4271 Burning Bush Drive, Okemos, MI in support of Z-5-2007; 600 S. Capitol Ave.

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

4. In consideration of Neighborhood Enterprise Zone #22 – Kalamazoo Corridor; Cedar Street to the West; Hosmer street to the East; the north line of parcels from 33-01-01-16-427 on the east and 33-01-01-15-309-102 on the west to the North; the south line of parcel 33-01-01-16-477-903; East Hillsdale Street, south line of parcel 33-01-01-15-351-011, and the south line of 33-01-01-15-351-051 to the South

*SUSPENSION ITEM- Letter from Capital Area Transportation Authority (CATA) requesting exemption of their millage from Neighborhood Enterprise Zone #22 – Kalamazoo Corridor

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

5. In consideration of PPE-01-07; 5400 Aurelius Rd., Application for Exemption of New Personal Property filed by Barnes Aerospace

*SUSPENSION ITEM- Letter from Capital Area Transportation Authority (CATA) requesting exemption of their millage from PPE-01-07; 5400 Aurelius Rd.

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

PUBLIC COMMENT

ON CITY GOVERNMENT RELATED MATTERS:

Judith Filice of 1462 Cambridge Dr. spoke about the Lansing City Market.

Robert Filch of 792 Eureka St., spoke about surveillance cameras.

Bill Renfrew of 2101 Wellesley Dr. spoke about surveillance cameras.

Frank S. Curtis X of 1137 West Allegan St. spoke about various city matters.

Jim Humble of 604 E. Fredrick St., spoke about issues that he has with the Lansing Police Department.

Jessica Narodowicz of 130 E. Reasoner St. spoke about violence against women.

Justin Sleight of 215 N. Capitol Ave. spoke about the Oliver Towers Building and how it should be used.

William Hubbell of 3916 Wedgewood Dr. spoke about the upcoming holidays in the City of Lansing.

Dale Dezess of 3331 Ingham St. spoke about various city matters.

Walter Brown of 1310 Knollwood Ave. spoke about surveillance cameras.

Willie Hobbs of 5017 S. Conners St. spoke about various city matters.

Ted Boettcher of 320 W. Northrup St. spoke about concerns with the proposed Northrup Street project.

Rob Wilcox of 1104 Pershing Dr. spoke about various city matters.

John Hooper, Lansing City Market, spoke in support of the City Market and the current proposal for a new location.

Darnell E. Oldham Sr. of 3815 Berwick Dr. spoke about various city matters.

Christine Timmon of 2519 Washington Ave. spoke about various city matters.

Willy Williams of P O Box 11042 spoke about various city matters.

Charlene Decker of 2711 Pleasant Grove Rd. spoke about various city matters.

LEGISLATIVE MATTERS RESOLUTIONS

RESOLUTION#482

BY THE COMMITTEE OF THE WHOLE
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Mayor made the appointment of Frank Lain of 2918 Sunderland Road, Lansing, Michigan 48911 to the 3rd Ward position of the Board of Water and Light Board of Trustees for a term to expire June 30, 2011; and

WHEREAS, the Committee of the Whole met on November 26, 2007, and reviewed the appointment of Frank Lain;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, confirms the appointment of Frank Lain to the 3rd Ward position of the Board of Water and Light Board of Trustees for a term to expire June 30, 2011.

By Councilmember Jeffries

Motion Carried

RESOLUTION#483

BY THE COMMITTEE OF THE WHOLE
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Mayor made the appointment of Tony DeLuca of 2123 Heights Avenue, Lansing, Michigan 48912 to an At Large position of the Board of Water and Light Commissioners for a term to expire June 30, 2010; and

WHEREAS, the Committee of the Whole met on November 26, 2007, and reviewed the appointment of Tony DeLuca;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, confirms the appointment of Tony DeLuca to an At Large position of the Board of Water and Light Commissioners for a term to expire June 30, 2010.

By Councilmember Jeffries

Motion Carried

RESOLUTION#484

BY THE COMMITTEE OF THE WHOLE

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Mayor made the appointment of James Marshall, Jr. of 1233 Coolidge, Lansing, Michigan 48912 to the First Ward position of the Public Service Board for a term to expire June 30, 2009; and

WHEREAS, the Committee of the Whole met on November 29, 2007, and reviewed the appointment of James Marshall, Jr.;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, confirms the appointment of James Marshall, Jr. to the First Ward position of the Public Service Board for a term to expire June 30, 2009.

By Councilmember Jeffries

Motion Carried

RESOLUTION#485

BY THE COMMITTEE OF THE WHOLE
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Mayor made the appointment of Joan Nelson of 217 Rosamond, Lansing, Michigan 48912 to an At Large position of the Elected Officers Compensation Commission for a term to expire October 1, 2012; and

WHEREAS, the Committee of the Whole met on November 26, 2007, and reviewed the appointment of Joan Nelson;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, confirms the appointment of Joan Nelson to an At Large position of the Elected Officers Compensation Commission for a term to expire October 1, 2012.

By Councilmember Jeffries

Motion Carried

RESOLUTION#486

BY THE COMMITTEE OF THE WHOLE
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Mayor made the appointment of Don LeDuc of 1425 Cambridge, Lansing, Michigan 48911 to an At Large position of the Elected Officers Compensation Commission for a term to expire October 1, 2012; and

WHEREAS, the Committee of the Whole met on November 26, 2007, and reviewed the appointment of Don LeDuc;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, confirms the appointment of Don LeDuc to an At Large position of the Elected Officers Compensation Commission for a term to expire October 1, 2012.

By Councilmember Jeffries

Motion Carried

RESOLUTION#487

BY THE COMMITTEE OF THE WHOLE
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Mayor made the appointment of Brian Huggler of 1408 Cambridge, Lansing, Michigan 48911 to an At Large position of the Elected Officers Compensation Commission for a term to expire October 1, 2014; and

WHEREAS, the Committee of the Whole met on November 26, 2007, and reviewed the appointment of Brian Huggler;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City

Council, hereby, confirms the appointment of Brian Huggler to an At Large position of the Elected Officers Compensation Commission for a term to expire October 1, 2014.

By Councilmember Jeffries

Motion Carried

RESOLUTION#488

BY THE COMMITTEE OF THE WHOLE
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Mayor made the appointment of Marilyn Plummer of 3601 Lucie Street, Lansing, Michigan 48911 to an At Large position of the Elected Officers Compensation Commission for a term to expire October 1, 2012; and

WHEREAS, the Committee of the Whole met on November 29, 2007, and reviewed the appointment of Marilyn Plummer;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, confirms the appointment of Marilyn Plummer to an At Large position of the Elected Officers Compensation Commission for a term to expire October 1, 2012.

By Councilmember Jeffries

Motion Carried

RESOLUTION#489

BY THE COMMITTEE OF THE WHOLE
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Mayor made the appointment of Thomas H. Hay of 119 E. Kilborn, Lansing, Michigan 48906 to an At Large position of the Elected Officers Compensation Commission for a term to expire October 1, 2008; and

WHEREAS, the Committee of the Whole met on November 29, 2007, and reviewed the appointment of Thomas H. Hay;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, confirms the appointment of Thomas H. Hay to an At Large position of the Elected Officers Compensation Commission for a term to expire October 1, 2008.

By Councilmember Jeffries

Motion Carried

RESOLUTION#490

BY THE COMMITTEE OF THE WHOLE
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Mayor made the reappointment of Linda Sims of 517 N. Cedar Street, Lansing, Michigan 48912 to an At Large position of the Board of Police Commissioners for a term to expire June 30, 2011; and

WHEREAS, the Committee of the Whole met on November 26, 2007, and reviewed the reappointment of Linda Sims;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, confirms the reappointment of Linda Sims to an At Large position of the Board of Police Commissioners for a term to expire June 30, 2011.

By Councilmember Jeffries

Motion Carried

RESOLUTION#491

BY THE COMMITTEE OF THE WHOLE
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Mayor made the reappointment of Robert Noordhoek of 3640 Sawgrass Circle, Lansing, Michigan 48911 to an At Large position of the Board of Police Commissioners for a term to expire June 30, 2008; and

WHEREAS, the Committee of the Whole met on November 26, 2007, and reviewed the reappointment of Robert Noordhoek;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, confirms the reappointment of Robert Noordhoek to an At Large position of the Board of Police Commissioners for a term to expire June 30, 2008.

By Councilmember Jeffries

Motion Carried

RESOLUTION#492

BY THE COMMITTEE OF THE WHOLE
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Mayor made the reappointment of Sandra Kowalk of 4315 Pleasant Grove Road, Lansing, Michigan 48910 to the Third Ward position of the Board of Police Commissioners for a term to expire June 30, 2011; and

WHEREAS, the Committee of the Whole met on November 26, 2007, and reviewed the reappointment of Sandra Kowalk;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, confirms the reappointment of Sandra Kowalk to the Third Ward position of the Board of Police Commissioners for a term to expire June 30, 2011.

By Councilmember Jeffries

Motion Carried

RESOLUTION#493

BY THE COMMITTEE OF THE WHOLE
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Mayor made the appointment of Terry Carella of 300 S. Capitol Avenue, Lansing, Michigan 48933 to a Business position of the Principal Shopping District for a term to expire June 30, 2009; and

WHEREAS, the Committee of the Whole met on November 26, 2007, and reviewed the appointment of Terry Carella;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, confirms the appointment of Terry Carella to a Business position of the Principal Shopping District for a term to expire June 30, 2009.

By Councilmember Jeffries

Motion Carried

RESOLUTION#494

BY THE COMMITTEE OF THE WHOLE
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Mayor made the appointment of Stacey Wallace of 110 W. Michigan Avenue, Lansing, Michigan 48933 to a Business position of the Principal Shopping District for a term to expire June 30, 2008; and

WHEREAS, the Committee of the Whole met on November 26, 2007, and reviewed the appointment of Stacey Wallace;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, confirms the appointment of Stacey Wallace to a

Business position of the Principal Shopping District for a term to expire June 30, 2008.

By Councilmember Jeffries

Motion Carried

RESOLUTION#495

BY THE COMMITTEE OF THE WHOLE
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Mayor made the appointment of Jessica Yorko of 815 Bancroft, Lansing, Michigan 48915 to an At Large position of the Public Service Board for a term to expire June 30, 2009; and

WHEREAS, the Committee of the Whole met on November 26, 2007, and reviewed the appointment of Jessica Yorko;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, confirms the appointment of Jessica Yorko to an At Large position of the Public Service Board for a term to expire June 30, 2009.

By Councilmember Jeffries

Motion Carried

RESOLUTION#496

BY THE COMMITTEE OF THE WHOLE
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Mayor made the appointment of Georgina Nelson of 605 W. Shiawassee, Lansing, Michigan 48933 to an At Large position of the Planning Board for a term to expire June 30, 2011; and

WHEREAS, the Committee of the Whole met on November 29, 2007 and reviewed the appointment of Georgina Nelson;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, confirms the appointment of Georgina Nelson to an At Large position of the Planning Board for a term to expire June 30, 2011.

By Councilmember Jeffries

Motion Carried

RESOLUTION#497

BY THE COMMITTEE OF THE WHOLE
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Mayor made the appointment of Paul H. Carrier of 3721 Sumpter, Lansing, Michigan 48911 to the Third Ward position of the Park Board for a term to expire June 30, 2011; and

WHEREAS, the Committee of the Whole met on December 3, 2007, and took affirmative action on the appointment of Paul H. Carrier;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, supports the appointment of Paul H. Carrier to the Third Ward seat of the Park Board for a term to expire June 30, 2011.

By Councilmember Jeffries

Motion Carried

RESOLUTION#498

BY THE COMMITTEE OF THE WHOLE
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Mayor made the appointment of Beth Graham of 5808 Annapolis, Lansing, Michigan 48911 to the Second Ward position of the Planning Board for a term to expire June 30, 2010; and

WHEREAS, the Committee of the Whole met on November 29, 2007, and reviewed the appointment of Beth Graham;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, confirms the appointment of Beth Graham to the Second Ward position of the Planning Board for a term to expire June 30, 2010.

By Councilmember Jeffries

Motion Carried

RESOLUTION#499

BY THE COMMITTEE OF THE WHOLE
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Mayor made the appointment of Kathy Tobe of 4030 Clayborn, Lansing, Michigan 48911 to the Third Ward position of the Planning Board for a term to expire June 30, 2011; and

WHEREAS, the Committee of the Whole met on November 29, 2007, and reviewed the appointment of Kathy Tobe;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, confirms the appointment of Kathy Tobe to the Third Ward position of the Planning Board for a term to expire June 30, 2011.

By Councilmember Jeffries

Motion Carried

RESOLUTION#500

BY THE COMMITTEE OF THE WHOLE
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Mayor made the reappointment of Stuart Wilson of 2308 Goesbeck Avenue, Lansing, Michigan 48912 to the Capital Area District Library Board of Directors for a term to expire April 15, 2011; and

WHEREAS, the met on November 29, 2007, and reviewed the reappointment of Stuart Wilson;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, confirms the reappointment of Stuart Wilson of 2308 Goesbeck Avenue, Lansing, Michigan 48912 to the Capital Area District Library Board of Directors for a term to expire April 15, 2011.

By Councilmember Jeffries

Motion Carried

RESOLUTION#501

BY COMMITTEE OF THE WHOLE
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the City has received a proposal to purchase certain real property titled in the name of the City of Lansing for Board of Water and Light Purposes and located in Lansing Township, Michigan, for the construction and development of the Groesbeck Park Drainage District; and

WHEREAS, in accordance with the Lansing City Charter, Article 8, Chapter 4, and Section 208.08 of the Lansing Code of Ordinances, the documentation and details of the sale must be placed on file in the Office of the City Clerk for a thirty (30) day period, and a Public Hearing on the proposed sale of the property held before the City Council subsequent to that time; and

WHEREAS, the documentation and details of the sale were placed on file in the City Clerk's Office on NOVEMBER 8, 2007;

NOW, THEREFORE, BE IT RESOLVED, that a Public Hearing be held on Monday, January 7, 2008, at 7:00 p.m. in the City Council Chambers, Tenth Floor, City Hall, 124 West Michigan Avenue, Lansing, Michigan, to receive public comment on and to consider the proposed sale of the property located in Lansing Township Michigan and legally described more particularly in the Covenant Deed for the property, which has been placed on file with the City Clerk on November 8, 2007.

By Councilmember Jeffries

Motion Carried

RESOLUTION#502

BY THE COMMITTEE OF THE WHOLE
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, City Clerk Chris Swope submitted a recommended list of dates for the Lansing City Council meetings for 2008 to the Lansing City Council; and

WHEREAS, Mayor Virg Bernero has requested the State of the City Address to be January 28; and

WHEREAS, the Lansing City Charter requires the City Council to meet weekly at least 50 weeks a year; and

WHEREAS, the Committee of the Whole has reviewed the City Clerk's recommendations and concurs with the list of recommended meeting dates for 2008;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby approves the recommendations of City Clerk Chris Swope for Lansing City Council meeting dates for 2008 as follows:

January 3 – Thursday at 1:30 p.m. due to New Years Day
January 7, 14
January 24 – Thursday at 1:30 p.m. due to the Martin Luther King Holiday
January 28 at 5:00 p.m. State of the City will begin at 7:00 p.m.
February 4, 11, 18, 25
March 3, 10, 17, 24, 31
April 7, 14, 21, 28
May 5, 12, 19
May 29 – Thursday at 1:30 p.m. due to Memorial Day
June 2, 9, 16, 23, 30
July 7, 14, 21, 28
August 4, 11, 18, 25
September 04 – Thursday at 1:30 p.m. due to Labor Day
September 8, 15, 22, 29
October 6, 13, 20, 27
November 3, 10, 17, 24
December 1, 8

Except as otherwise noted, all meetings will be on a Monday at 7:00 p.m. in the Lansing City Council Chambers, 10th Floor City Hall.

By Councilmember Jeffries

Motion Carried

RESOLUTION#503

BY THE COMMITTEE OF THE WHOLE
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, The City of Lansing wishes to promote fair labor practices and labor union goals; and

WHEREAS, 22 states have "right to work" laws that prohibit workers and employers from negotiating union security clauses that ensure that all workers who receive economic benefits from union representation share the costs of maintaining the union; and

WHEREAS, right to work laws do not guarantee employment to workers; and

WHEREAS, right to work laws weaken the ability of unions to represent workers; and

WHEREAS, right to work laws harm union and non-union workers alike by depressing union membership and limiting the effectiveness of unions; and

WHEREAS, according to the Bureau of Labor Statistics the median household income in 2005 in "right to work" states was \$5,900 less than in free-bargaining states; and

WHEREAS, according to the U.S. Census Bureau, in 2005 the percentage of the population without health insurance was 20% higher in "right to work" states; and

WHEREAS, the U.S. Congress is seeking to impose a federal National Right to Work Act that would require all states to become "right to work" states.

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council opposes any legislation in the U.S. Congress, Michigan State legislature, and the City of Lansing that would make Michigan a "right to work" State and the City of Lansing a "right to work" City by curtailing labor union membership.

By Councilmember Wood

Motion Carried

RESOLUTION#504

BY THE COMMITTEE OF THE WHOLE
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS the Greater Lansing Building Trades are recognized for their workmanship and value to the Lansing area; and

WHEREAS the City of Lansing is beginning the process to bond for the Combined Sewer Overflow Project for the construction season 2008/2009; and

WHEREAS the Lansing City Council appreciates the value of our local unions; and

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council encourages the Mayor to enter into a Project Labor Agreement as it pertains to the Combined Sewer Overflow Project 2008/2009 construction season.

By Councilmember Wood

Motion Carried

RESOLUTION#505

BY THE COMMITTEE ON GENERAL SERVICES
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Reuben Levinsohn and Matthew Perry, R.A.M. Properties of Lansing, LLC, sought to eliminate the Special Assessment of \$652.00 and all associated penalties and interest on the property tax bill involving a Board Up of the property at 1606 Herbert Street; and

WHEREAS, the General Services Committee met on November 26, 2007 and denied the claim but offered a settlement for a reduction in the Special Assessment in the amount of \$165.00;

NOW, THEREFORE, BE IT RESOLVED that the City Council, hereby, denies the claim of Reuben Levinsohn and Matthew Perry, R.A.M. Properties of Lansing, LLC, to eliminate the Special Assessment of \$652.00 and all associated penalties and interest on

the property tax bill involving a Board Up of the property at 1606 Herbert Street and offer a settlement for a reduction in the Special Assessment of \$652.00 in the amount of \$165.00;

BE IT FURTHER RESOLVED that the City Attorney shall take the appropriate steps to process this claim.

By Councilmember Kaltenbach

Motion Carried

RESOLUTION#506

BY THE COMMITTEE ON GENERAL SERVICES
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Stan Pastuszka sought to eliminate the Special Assessment of \$652.26 and all associated penalties and interest on the property tax bill involving a Trash in the ROW on the property at 406 S. Magnolia; and

WHEREAS, the General Services Committee met on November 26, 2007 and denied the claim but offered a settlement for a reduction in the Special Assessment of \$652.26 in the amount of \$352.26;

NOW, THEREFORE, BE IT RESOLVED that the City Council, hereby, denies the claim of Stan Pastuszka to eliminate the Special Assessment of \$652.26 and all associated penalties and interest on the property tax bill involving a Trash in the ROW on the property at 406 S. Magnolia and offer a settlement for a reduction in the Special Assessment of \$652.26 in the amount of \$352.26;

BE IT FURTHER RESOLVED that the City Attorney shall take the appropriate steps to process this claim.

By Councilmember Kaltenbach

Motion Carried

RESOLUTION# 507

BY THE COMMITTEE ON GENERAL SERVICES
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Sagamore Hill Neighborhood Association has requested \$250.00 to defray costs associated with the Sagamore Hill Neighborhood Association Christmas party to be held on December 12, 2007; and

WHEREAS, the Committee on General Services, on November 26, 2007, reviewed the request with an affirmative vote;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, approves a \$250 allocation from the Community Promotion Funding Account to the Sagamore Hill Neighborhood Association to defray costs associated with the Christmas party to be held on December 12, 2007;

BE IT FURTHER RESOLVED, the Mayor and the Finance Department shall process this request by charging \$250.00 against the Community Promotion Funding Account – 101.112101.741289;

BE IT FINALLY RESOLVED, that the Sagamore Hill Neighborhood Association shall submit a written analysis of the event, including information regarding the number of attendees, and a detail of their accounting of expenses to the Lansing City Council within 60 days after the event.

By Councilmember Kaltenbach

Motion Carried

RESOLUTION#508

BY THE COMMITTEE ON GENERAL SERVICES
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Capital City African American Cultural Association has requested \$1500 to defray costs associated with the Capital City African American Cultural Parade and Family Festival that was held on August 4, 2007; and

WHEREAS, the Committee on General Services, on November 26, 2007, reviewed the request with an affirmative vote;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, approves a \$1500 allocation from the Community Promotion Funding Account to the Capital City African American Cultural Association to defray costs associated with the Capital City African American Cultural Parade and Family Festival that was held on August 4, 2007;

BE IT FURTHER RESOLVED, the Mayor and the Finance Department shall process this request by charging \$1500 against the Community Promotion Funding Account – 101.112101.741289;

BE IT FINALLY RESOLVED, that the Capital City African American Cultural Association shall submit a written analysis of the event, including information regarding the number of attendees, and a detail of their accounting of expenses to the Lansing City Council within 60 days after the event.

By Councilmember Kaltenbach

Motion Carried

RESOLUTION#509

BY THE COMMITTEE ON GENERAL SERVICES
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, pursuant to Resolution #419 adopted by this council on October 22, 2007, a public hearing was held on Monday, November 19, 2007, in consideration of this request by Public Service Department for issuance of a waiver of the noise ordinance to permit the contractor for the CSO Downtown 2008 – Grand Avenue / Walnut Street Project to work Monday through Friday from 8:00 PM to 10:00 PM and Saturdays from 8:00 AM to 8:00 PM, while conducting construction activities on Grand Avenue and Walnut Street, and on Sundays from 8:00 AM to 5:00 PM, specifically while conducting construction activities on Grand Avenue; and

WHEREAS, the CSO Downtown 2008 - Grand Avenue / Walnut Street Project Area is Grand Avenue from Shiawassee Street to St. Joseph Street and Walnut Street from Shiawassee Street to Ottawa Street; and

WHEREAS, the time schedule associated with this CSO project is aggressive relative to the large amount of construction required for completion during the 2008 construction season; and

WHEREAS, the required construction on Grand Avenue and Walnut Street will result in the full closure of sections of these major roads; and

WHEREAS, the use of extended works hours will facilitate compliance with the aggressive time schedule for this CSO project and will reduce the time Grand Avenue and Walnut Street will be closed; and

WHEREAS, a comment was received at the public hearing expressing concern regarding noise from construction staging and the associated noise from standing, idling construction vehicles at a time in the morning prior to the permitted work start time (i.e., 7:00 AM, Monday through Friday).

NOW, THEREFORE, BE IT RESOLVED that the Public Service Department will require that the contractor not generate noise from construction, construction staging, and/or from standing, idling

construction vehicles at a time in the morning prior to the permitted work start times; and

BE IT FURTHER RESOLVED that City Council grant a noise waiver permit to the Public Service Department to allow the contractor for the CSO Downtown 2008 - Grand Avenue / Walnut Street Project to work Monday through Friday from 8:00 PM to 10:00 PM and Saturdays from 8:00 AM to 8:00 PM, while conducting construction activities on Grand Avenue from Shiawassee Street to St. Joseph Street and Walnut Street from Shiawassee Street to Ottawa Street, and on Sundays from 8:00 AM to 5:00 PM, specifically while conducting construction activities on Grand Avenue; and

BE IT FINALLY RESOLVED that this waiver of the noise ordinance will be applicable during the 2008 construction season.

By Councilmember Kaltenbach

Motion Carried

RESOLUTION#510

BY THE COMMITTEE ON GENERAL SERVICES
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, pursuant to Resolution #420 adopted by this council on October 22, 2007, a public hearing was held on Monday, November 19, 2007, in consideration of this request by Public Service Department for issuance of a waiver of the noise ordinance to permit the contractor for the CSO 013 Northeast Project to work Monday through Friday from 8:00 PM to 10:00 PM and Saturdays from 8:00 AM to 8:00 PM, while conducting construction activities on all streets within the CSO 013 Northeast Project Area, and on Sundays from 8:00 AM to 5:00 PM, specifically while conducting construction activities on North East Street (i.e., Business U.S. 27); and

WHEREAS, the CSO 013 Northeast Project Area is roughly bounded by Sheridan Road, Creston Avenue, Chilson Avenue, and Seventh Street; and

WHEREAS, the time schedule associated with this CSO project is aggressive relative to the large amount of construction required for completion during the 2008 and 2009 construction season; and

WHEREAS, the required construction on North East Street (i.e., Business U.S. 27) will result in the closure of lanes of traffic on this major road; and

WHEREAS, the use of extended works hours will facilitate compliance with the aggressive time schedule for this CSO project and will reduce the time lanes of traffic will be closed on North East Street (i.e., Business U.S. 27); and

WHEREAS, a comment was received at the public hearing expressing concern regarding noise from construction staging and the associated noise from standing, idling construction vehicles at a time in the morning prior to the permitted work start time (i.e., 7:00 AM, Monday through Friday).

NOW, THEREFORE, BE IT RESOLVED that the Public Service Department will require that the contractor not generate noise from construction, construction staging, and/or from standing, idling construction vehicles at a time in the morning prior to the permitted work start times; and

BE IT FURTHER RESOLVED that City Council grant a noise waiver permit to the Public Service Department to allow the contractor for the CSO 013 Northeast Project to work Monday through Friday from 8:00 PM to 10:00 PM from June 13 to September 5, 2008 and Saturdays from 8:00 AM to 8:00 PM, while conducting construction activities on all streets within the CSO 013 Northeast Project Area, roughly bound by Sheridan Road, Creston Avenue, Chilson Avenue, and Seventh Street,

and on Sundays from 8:00 AM to 5:00 PM, specifically while conducting construction activities on North East Street (i.e., Business U.S. 27); and

BE IT FINALLY RESOLVED that this waiver of the noise ordinance will be applicable during the 2008 construction season and on a conditional basis for the 2009 construction season (following the 2008 construction season, the Lansing City Council will at their discretion review the impacts of the noise waiver during the 2008 construction season to determine whether the noise waiver should be rescinded or re-evaluated for the 2009 construction season).

By Councilmember Jeffries

To amend the BE IT FURTHER RESOLVED clause following "10:00 PM" by inserting "from June 13 to September 5, 2008"

Motion Carried

By Councilmember Kaltenbach

To place an affirmative roll on the amended resolution

Motion Carried

CONSIDERATION OF THIS ITEM WAS POSTPONED

BY THE COMMITTEE ON GENERAL SERVICES
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, pursuant to Resolution #421 adopted by this council on October 22, 2007, a public hearing was held on Monday, November 19, 2007, in consideration of this request by Public Service Department for issuance of a waiver of the noise ordinance to permit the contractor for the CSO 018 Southwest Project to work Monday through Friday from 8:00 PM to 10:00 PM and Saturdays from 8:00 AM to 8:00 PM, while conducting construction activities on all streets within the 018 Southwest Project Area, and on Sundays from 8:00 AM to 5:00 PM, specifically while conducting construction activities on Larch Street and Cedar Street; and

WHEREAS, the CSO 018 Southwest Project Area is roughly bounded by Grand River Avenue, Center Street, Saginaw Street, and Pennsylvania Avenue; and

WHEREAS, the time schedule associated with this CSO project is aggressive relative to the large amount of construction required for completion during the 2008 and 2009 construction season; and

WHEREAS, the required construction on Larch Street and Cedar Street will result in the full closure of these major roads; and

WHEREAS, the use of extended works hours will facilitate compliance with the aggressive time schedule for this CSO project and will reduce the time Larch Street and Cedar Street will be closed; and

WHEREAS, a comment was received at the public hearing expressing concern regarding noise from construction staging and the associated noise from standing, idling construction vehicles at a time in the morning prior to the permitted work start time (i.e., 7:00 AM, Monday through Friday).

NOW, THEREFORE, BE IT RESOLVED that the Public Service Department will require that the contractor not generate noise from construction, construction staging, and/or from standing, idling construction vehicles at a time in the morning prior to the permitted work start times; and

BE IT FURTHER RESOLVED that City Council grant a noise waiver permit to the Public Service Department to allow the contractor for the CSO 018 Southwest Project to work Monday through Friday from 8:00 PM to 10:00 PM and Saturdays from 8:00 AM to 8:00 PM, while conducting construction activities on all streets within the CSO 018

Southwest Project Area, roughly bounded by Grand River Avenue, Center Street, Saginaw Street, and Pennsylvania Avenue, and on Sundays from 8:00 AM to 5:00 PM, specifically while conducting construction activities on Larch Street and Cedar Street; and

BE IT FINALLY RESOLVED that this waiver of the noise ordinance will be applicable during the 2008 construction season and on a conditional basis for the 2009 construction season (following the 2008 construction season, the Lansing City Council will at their discretion review the impacts of the noise waiver during the 2008 construction season to determine whether the noise waiver should be rescinded or re-evaluated for the 2009 construction season).

By Councilmember Kaltenbach

To postpone consideration of this resolution

Motion Carried

RESOLUTION#511

BY THE COMMITTEE ON GENERAL SERVICES
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, pursuant to Resolution #422 adopted by this council on October 22, 2007, a public hearing was held on Monday, November 19, 2007, in consideration of this request by Public Service Department for issuance of a waiver of the noise ordinance to permit the contractor for the CSO 034A Project to work Monday through Friday from 8:00 PM to 10:00 PM and Saturdays from 8:00 AM to 8:00 PM; and

WHEREAS, the CSO 034A Project Area is roughly bounded by Martin Luther King Boulevard, Lenore Avenue, Osband Avenue, and S. Rundle Avenue; and

WHEREAS, the time schedule associated with this CSO project is aggressive relative to the large amount of construction required for completion during the 2008 and 2009 construction season; and

WHEREAS, the use of extended works hours will facilitate compliance with the aggressive time schedule for this CSO project; and

WHEREAS, a comment was received at the public hearing expressing concern regarding noise from construction staging and the associated noise from standing, idling construction vehicles at a time in the morning prior to the permitted work start time (i.e., 7:00 AM, Monday through Friday).

NOW, THEREFORE, BE IT RESOLVED that the Public Service Department will require that the contractor not generate noise from construction, construction staging, and/or from standing, idling construction vehicles at a time in the morning prior to the permitted work start times; and

BE IT FURTHER RESOLVED that City Council grant a noise waiver permit to the Public Service Department to allow the contractor for the CSO 034A Project to work Monday through Friday from 8:00 PM to 10:00 PM from June 13 to September 5, 2008 and Saturdays from 8:00 AM to 8:00 PM, while conducting construction activities on streets within the CSO 034A Project Area, roughly bounded by Martin Luther King Boulevard, Lenore Avenue, Osband Avenue, and S. Rundle Avenue; and

BE IT FINALLY RESOLVED that this waiver of the noise ordinance will be applicable during the 2008 construction season and on a conditional basis for the 2009 construction season (following the 2008 construction season, the Lansing City Council will at their discretion review the impacts of the noise waiver during the 2008 construction season to determine whether the noise waiver should be rescinded or re-evaluated for the 2009 construction season).

By Councilmember Jeffries

To amend the BE IT FURTHER RESOLVED clause following "10:00 PM" by inserting "from June 13 to September 5, 2008"

Motion Carried

By Councilmember Kaltenbach

To place an affirmative roll on the amended resolution

Motion Carried

RESOLUTION#512

BY THE COMMITTEE ON GENERAL SERVICES
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, pursuant to Resolution #423 adopted by this council on October 22, 2007, a public hearing was held on Monday, November 19, 2007, in consideration of this request by Public Service Department for issuance of a waiver of the noise ordinance to permit the contractor for the CSO 045 Project to work Monday through Friday from 8:00 PM to 10:00 PM and Saturdays from 8:00 AM to 8:00 PM, while conducting construction activities on all streets within the 045 Project Area, and on Sundays from 8:00 AM to 5:00 PM, specifically while conducting construction activities on Larch Street; and

WHEREAS, the CSO 045 Project Area is roughly bounded by May Street, Larch Street, Shiawassee Street, and Cleveland Street; and

WHEREAS, the time schedule associated with this CSO project is aggressive relative to the large amount of construction required for completion during the 2008 and 2009 construction season; and

WHEREAS, the required construction on Larch Street will result in the full closure of this major road; and

WHEREAS, the use of extended works hours will facilitate compliance with the aggressive time schedule for this CSO project and will reduce the time Larch Street will be closed; and

WHEREAS, a comment was received at the public hearing expressing concern regarding noise from construction staging and the associated noise from standing, idling construction vehicles at a time in the morning prior to the permitted work start time (i.e., 7:00 AM, Monday through Friday).

NOW, THEREFORE, BE IT RESOLVED that the Public Service Department will require that the contractor not generate noise from construction, construction staging, and/or from standing, idling construction vehicles at a time in the morning prior to the permitted work start times; and

BE IT FURTHER RESOLVED that City Council grant a noise waiver permit to the Public Service Department to allow the contractor for the CSO 045 Project to work Monday through Friday from 8:00 PM to 10:00 PM and Saturdays from 8:00 AM to 8:00 PM, while conducting construction activities on all streets within the CSO 045 Project Area, roughly bounded by May Street, Larch Street, Shiawassee Street, and Cleveland Street, and on Sundays from 8:00 AM to 5:00 PM, specifically while conducting construction activities on Larch Street; and

BE IT FINALLY RESOLVED that this waiver of the noise ordinance will be applicable during the 2008 construction season and on a conditional basis for the 2009 construction season (following the 2008 construction season, the Lansing City Council will at their discretion review the impacts of the noise waiver during the 2008 construction season to determine whether the noise waiver should be rescinded or re-evaluated for the 2009 construction season).

By Councilmember Kaltenbach

Motion Carried

RESOLUTION#513

BY THE COMMITTEE ON WAYS AND MEANS
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the State of Michigan Water Resources Commission has issued a Wastewater Treatment Facilities National Pollutant Discharge Elimination System Permit No. MI0023400 (the "NPDES Permit") requiring the City of Lansing (the "City") to construct certain Combined Sewer Overflow Control Improvements; and

WHEREAS, Act 320, Public Acts of Michigan, 1927, as amended, repealed and recodified by Part 43 of Act 451, Public Acts of Michigan, 1994, as amended ("Act 451") enables a City to issue and sell bonds to finance construction of improvements required by a permit issued by the State of Michigan Water Resources Commission; and

WHEREAS, the Lansing City Council intends to authorize the issuance of Limited Tax General Obligation Bonds pursuant to Act 451 in one or more series at an estimated interest rate of 2.50% and in an aggregate amount not to exceed \$43,000,000 for the purpose of financing the sewer improvements associated with Subareas 013 Northeast, 018 Southwest, 045, 034A, and the 2008 Downtown Projects, as further described in plans on file with the City, (collectively, the "Improvements") included in Phase IV, Segment 5 of the Combined Sewer Overflow Improvements Project Plan required by the NPDES Permit, which Bonds will be payable from funds lawfully available to the City for this purpose such as revenues derived from the operation of the City's Sewage Disposal System, special assessments, general fund monies and ad valorem taxes pursuant to a pledge of the City's limited tax full faith and credit; and

WHEREAS, Notice of Intent to Issue Bonds must be published at least forty-five (45) days before the issuance of the same in order to comply with the requirements of Section 5(g) of Act 279, Public Acts of Michigan, 1909, as amended; and

WHEREAS, the City must appoint bond counsel for the issuance of the Bonds; and

WHEREAS, prior to issuance of each series of Bonds the City must (i) receive prior approval of the Bonds from the Michigan Department of Treasury or (ii) be granted qualified status as provided in Act 34, Public Acts of Michigan, 2001, as amended;

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The City Clerk is hereby authorized and directed to cause a Notice of Intent to Issue Bonds to be published, on or before December 12, 2007, in the LANSING STATE JOURNAL, a newspaper of general circulation in the City, as a display advertisement at least ¼ page in size.

2. Said Notice of Intent so published shall be in substantially the following form:

OFFICIAL NOTICE TO ELECTORS AND
TAXPAYERS OF THE CITY OF LANSING OF
INTENT TO ISSUE BONDS SECURED BY THE
TAXING POWER OF THE CITY AND RIGHT OF
REFERENDUM THEREON

PLEASE TAKE NOTICE that the City Council of the City of Lansing, Counties of Ingham and Eaton, Michigan, intends to authorize the issuance of Limited Tax General Obligations Bonds of the City in one or more series in an aggregate principal amount not to exceed \$43,000,000 for the purpose of financing sewer improvements associated with Subareas 013 Northeast, 018 Southwest, 045, 034A, and the 2008 Downtown Projects as further described in plans on file with the City (the "Improvements"), included in Phase IV, Segment 5 of the Combined Sewer Overflow Improvements

Project Plan required by the NPDES Permit. Said Bonds shall mature in not to exceed thirty (30) annual installments with interest payable on the unpaid balance at an estimated interest rate of 2.50%, to be conclusively determined at the time of the sale of the Bonds.

SOURCE OF PAYMENT OF BONDS

The principal and interest of the Bonds shall be payable primarily from funds lawfully available to the City for this purpose such as revenues derived from the operation of the City's Sewage Disposal System, special assessments, general fund monies and ad valorem taxes pursuant to a pledge of the City's limited tax full faith and credit. Ad valorem taxes may not be levied in excess of the City's charter tax rate limitation for this purpose.

RIGHT OF REFERENDUM

The Bonds will be issued without vote of the electors unless a PETITION requesting an election of the question of issuing the Bonds signed by not less than TEN PERCENT (10%) OF THE REGISTERED ELECTORS in the City is filed with the City Council by deposit with the City Clerk WITHIN FORTY-FIVE (45) DAYS after publication of this Notice. If such a petition is filed, the Bonds cannot be issued without an approving vote by a majority of electors voting on the question.

This Notice is given pursuant to the requirements of Section 5(g) of Act 279, Public Acts of Michigan, 1909, as amended. Further information concerning the matters set out in this Notice may be secured from the City Clerk's Office.

Chris Swope, City Clerk

3. The City Council hereby determines that the foregoing form of Notice of Intent to Issue Bonds and the manner of publication directed is adequate notice to the electors and taxpayers of the City and is well calculated to inform them of the intention of the City to issue the Bonds, the purpose of the Bonds, the security for the Bonds, and the right of referendum of the electors with respect thereto, and that the provision of forty-five (45) days within which to file a referendum petition is adequate to ensure that the City's electors may exercise their right of referendum with respect to the Bonds.

4. In order to comply with Federal Treasury Regulation § 1.150-2, the City Council states that the City intends to reimburse expenditures for combined sewer overflow control Improvements with proceeds of the Bonds, including the Bonds described in this Resolution, by making the following declaration:

(A) The City reasonably expects to reimburse itself for the expenditures made to acquire the Improvements with proceeds of debt to be incurred by the City.

(B) The maximum principal amount of debt expected to be issued for reimbursement purposes including bond issuance costs is \$43,000,000, which may be issued in one or more series.

(C) A reimbursement allocation of the expenditures for the Improvements with the proceeds of the borrowing described here will occur not later than 18 months after the later of (i) the

date on which the expenditure is paid, or (ii) the date of Improvements are placed in service or abandoned, but in no event more than three (3) years after the original expenditure is paid. A reimbursement allocation is an allocation in writing that evidences the City's use of the proceeds of the debt to be issued for the Improvements to reimburse the City for a capital expenditure made pursuant to this Resolution.

(D) This Resolution is adopted to indicate the intent of the City only, and does not bind the City to acquire and construct any Improvements or to issue any obligations of the City.

5. Either the Finance Director or the Public Service Director are authorized to request qualified status from the Michigan Department of Treasury and to pay the related fee, or to request the Michigan Department of Treasury to issue and order granting prior approval to issue Bonds, and to request any related waivers.

6. Dykema Gossett PLLC, of Lansing, Michigan, is appointed as Bond Counsel with respect to the Bonds described in this Resolution.

7. All Resolutions and parts of Resolutions insofar as they conflict with the provisions of this Resolution are rescinded.

By Councilmember Wood

To accept a substitute resolution for the one originally placed in the packet

Motion Carried

By Councilmember Wood

To place an affirmative roll on the substitute resolution

Motion Carried

RESOLUTION#514

BY THE COMMITTEE ON WAYS & MEANS
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

That the following FY 2008 transfers be approved:

Police Administration

AMOUNT TO TRANSFER	TRANSFER FROM ACCOUNT #	TRANSFER TO ACCOUNT #
\$1,000.00	Administration Donations Revenue 101.0675000.0	
\$1,000.00		Administration Donations 101.343201.741800.0

(To appropriate workout facility upgrade and detectives outerwear donated revenue).

Police South Precinct

AMOUNT TO TRANSFER	TRANSFER FROM ACCOUNT #	TRANSFER TO ACCOUNT #
\$1,000.00	Administration Donations 101.343201.741800.0	
\$1,000.00		South Precinct Repair & Maint. 101.343252.746000.0

(To provide for expenditure of donated funds for the South Precinct, \$400 for purchase of a used treadmill and \$600 for purchase of jackets for plainclothes detectives).

By Councilmember Wood

Motion Carried

RESOLUTION#515

BY THE COMMITTEE ON WAYS AND MEANS
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Lansing Parks & Recreation seeks to expand its accessibility to a wide range of recreation and leisure experiences; and

WHEREAS, the Lansing Parks and Recreation Department encourages health and wellness and through the purchase of equipment for tennis, golf, hand-cycles and/or recumbent bikes, and short chairs for those with a disability who are chair users along with gloves, helmets, and other safety gear, and providing the means for repairs of equipment will allow them to further expand the scope of wellness for individuals with disabilities and families; and

WHEREAS, the Lansing Parks and Recreation has an opportunity to apply to the Kellogg Foundation for an Access to Recreation Grant in the amount of \$20,000 to allow the City to expand the accessibility to a wide range of recreation and leisure programs by offering training and educational material, hold special events, increase awareness of recreation opportunities for the people with disabilities in the community, and increase opportunities to develop a healthy leisure lifestyle; and

WHEREAS, the Mayor and the Director of Parks and Recreation recommends the City apply for grant funding to provide for expanding accessibility to a wide range of recreational programs; and

WHEREAS, the total cash match from the City would be \$8,500, of which the City "in-kind" match is valued at \$3,500 consisting of a full time Staff Program Supervisor and contract and part-time personnel;

WHEREAS, the Committee on Ways and Means has reviewed and supports the submission of the application for the Access to Recreation Grant;

NOW, THEREFORE, BE IT RESOLVED that the City Council concurs with the recommendation of the Mayor and Director of Parks and Recreation authorizing the submission of a grant application to the Kellogg Foundation and to sign and executing all necessary documents related to the grant application for the project as described:

Expanding Access to Recreation

Grant Amount \$20,000

Local Match (City of Lansing) \$8,500

BE IT FINALLY RESOLVED that upon notification of the grant being awarded, the Administration shall bring the "Access to Recreation Grant" fund back to the City Council for acceptance.

By Councilmember Wood

Motion Carried

REPORTS FROM COUNCIL COMMITTEES

RESOLUTION#516

REPORT OF COMMITTEE

THE COMMITTEE ON WAYS AND MEANS held a meeting on November 27, 2007 and reviewed the ordinance amendment of Chapter 10, Section 1026.07 of the Codified Ordinances by providing that interest on installment payments for special assessments shall be as determined by resolution for city council for a period of time as recommended by the Director of Finance.

The Committee recommends adoption of the ordinance amendment of Chapter 10, Section 1026.07 of the Codified Ordinances by providing that interest on installment payments for special assessments shall be as determined by resolution of city council for a period of time as recommended by the Director of Finance.

December 3, 2007

Signed: Carol Wood, Chairperson
Tim Kaltenbach, Vice Chairperson
Harold Leeman, Member

By Councilmember Wood

To receive the committee report

Motion Carried

ORDINANCES FOR INTRODUCTION

There were no Ordinances for Introduction

ORDINANCES FOR PASSAGE

By Councilmember Wood

That we move to the passage of Ordinances

By Councilmember Wood

That the Ordinance when read by its title be considered as read in its entirety.

BY THE COMMITTEE ON WAYS AND MEANS

By Councilmember Wood

That:

An Ordinance of the City of Lansing to amend Chapter 10, Section 1026.07 of the Lansing Codified Ordinances by providing that interest on installment payments for Special Assessments shall be determined by Resolution of City Council, for a period of time as recommended by the Director of Finance

be placed on order of immediate passage.

BY THE COMMITTEE ON WAYS AND MEANS

By Councilmember Wood

That:

An Ordinance of the City of Lansing to amend Chapter 10, Section 1026.07 of the Lansing Codified Ordinances by providing that interest on installment payments for Special Assessments shall be determined by Resolution of City Council, for a period of time as recommended by the Director of Finance

be now passed.

YEAS: Councilmembers Jeffries, Kaltenbach, Leeman, Matt, Quinney and Wood

NAYS: None

ABSENT: Councilmembers Allen and Dunbar

By Councilmember Wood

THAT THIS ORDINANCE, BEING NECESSARY FOR THE IMMEDIATE PRESERVATION OF THE PUBLIC, PEACE, HEALTH OR SAFETY SHALL TAKE EFFECT UPON ITS PASSAGE

Motion Carried

ORDINANCE #1127

AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, TO AMEND CHAPTER 10, SECTION 1026.07, OF THE LANSING CODIFIED ORDINANCES BY PROVIDING THAT INTEREST ON INSTALLMENT PAYMENTS FOR SPECIAL ASSESSMENTS SHALL BE AS DETERMINED BY RESOLUTION OF CITY COUNCIL, FOR A PERIOD OF TIME AS RECOMMENDED BY THE DIRECTOR OF FINANCE.

THE CITY OF LANSING ORDAINS:

Section 1. That Chapter 10, Section 1026.07, of the Codified Ordinances of the City of Lansing, Michigan, be and is hereby amended to read as follows:

1026.07. Installment payments.

(a) *Warrant for Collection of Assessments; Payments; Interest; Bond Funds.*

- (1) Every assessment ratified and confirmed by Council shall be final and conclusive. Within ten days after such assessment is ratified, the Mayor shall affix to the assessment and the tax roll his or her warrant for collection thereof. The Mayor's warrant shall direct the City Treasurer to collect the assessment on or before the due date, which date shall be ninety days from the date of confirmation by Council. The warrant shall further direct the Treasurer to initiate special assessment collections on the basis of the estimated figure provided by the City Assessor, and such assessment and tax roll, with the warrant of the Mayor so annexed, shall be delivered to the Treasurer within five days after such warrant is annexed to the roll.

If the Treasurer is unable to collect assessments as directed, he or she may levy and collect any such assessment by distress and sale of any personal property in the possession of the person charged with the assessment or in any other manner permitted by law.

- (2) ~~if the~~ FOR ANY SPECIAL assessment ordered pursuant to this chapter is for paving, curbs and gutters, sewers, sidewalks or tree removal, and the property assessed is, at the time of the assessment, used as residential property, the taxpayer shall have the option of extending the time for payment of the special assessment in the manner provided for in this section, upon the following basis: FOR A NUMBER OF YEARS AS DETERMINED BY THE DIRECTOR OF FINANCE FOR EACH SPECIAL ASSESSMENT ROLL, NOT EXCEEDING TWENTY (20) YEARS OR THE TERM OF ANY BOND ISSUED, WHICHEVER IS LONGER. IN DETERMINING THE NUMBER OF YEARS, THE DIRECTOR OF FINANCE SHALL TAKE INTO CONSIDERATION THE FOLLOWING CRITERIA:

- A. THE TERM OF THE BOND ISSUED, IF ANY; ~~if the total assessment is one hundred dollars (\$100.00) or less, the assessment shall be paid in full on or before the due date, ninety days from the date of confirmation.~~

- B. ~~THE TOTAL AMOUNT OF THE SPECIAL ASSESSMENT ROLL; if the total assessment is more than one hundred dollars (\$100.00) but not more than one thousand dollars (\$1,000), it shall be divided into up to ten equal installments, provided that no installment, other than the final installment, shall be less than one hundred dollars (\$100.00).~~
- C. ~~THE AMOUNT OF THE LARGEST SINGLE ASSESSMENT WITHIN THE SPECIAL ASSESSMENT ROLL; AND if the total assessment is more than one thousand dollars (\$1,000) but not more than two thousand two hundred fifty dollars (\$2,250), it shall be divided into up to fifteen equal installments, provided that no installment, other than the final installment, shall be less than one hundred fifty dollars (\$150.00).~~
- D. ANY OTHER FACTOR THE DIRECTOR OF FINANCE BELIEVES IS REASONABLE IN DETERMINING THE DURATION OF INSTALLMENT PAYMENTS. ~~If the total assessment is more than two thousand two hundred fifty dollars (\$2,250) but not more than four thousand dollars (\$4,000), it shall be divided into up to twenty equal installments, provided that no installment, other than the final installment, shall be less than two hundred dollars (\$200.00).~~
- E. ~~If the total assessment is more than four thousand dollars (\$4,000), it shall be divided up into twenty equal installments.~~
- F. ~~The interest to be added to the special assessment installment payments shall be as determined by this section or by resolution of Council.~~
- G. ~~As used in this section, "residential property" means a property which, at the time of being assessed, is not being used for a commercial, professional or industrial enterprise.~~
- H. ~~No land being subdivided or used for a community unit or multifamily dwelling, except in a C Residential District, shall be eligible for the installment special assessment program.~~
- (3) BOTH THE ESTIMATED MAXIMUM INTEREST RATE, AS DETERMINED IN SUBSECTION (A)(6) OF THIS SECTION, AND THE DURATION OF INSTALLMENT PAYMENTS SHALL BE PUBLISHED IN THE NOTICE OF PUBLIC HEARING ON EACH ASSESSMENT ROLL. ~~if the assessment ordered pursuant to this chapter is for sidewalks and the property assessed is, at the time of the assessment, used as commercial, professional or industrial property, and the total cost of the special assessment is one thousand dollars (\$1,000) or more, the total special~~
- ~~assessment for the cost of such sidewalks may be paid by the taxpayer over not more than three years in three equal installments, provided that no installment payment, other than the final installment payment, shall be less than one thousand dollars (\$1,000). Upon the sale, conveyance or transfer of the property, during such three year period, any portion of the total special assessment still owing by the taxpayer for the cost of the sidewalks shall be immediately due and payable. The interest to be added to the special assessment installment payments shall be determined by this section or resolution of Council.~~
- (4) Following confirmation of a special assessment roll, a billing of the estimated assessment (original estimated billing) shall be rendered to the taxpayer of record. The words "estimated billing" shall be denoted on the original estimated billing and the total assessment shall be due within ninety days from the date of confirmation. There shall be no interest or penalty charged on any payment or on the entire assessment if paid in full within ninety days from the date of confirmation.
- (5) ~~If the total assessment is more than one hundred dollars (\$100.00),~~ The taxpayer may select the installment option by paying the first installment within ninety days of confirmation.
- (6) FOR ASSESSMENTS PAID IN INSTALLMENTS UNDER THIS SECTION, interest will be charged at A RATE CALCULATED BY THE DIRECTOR OF FINANCE AS FOLLOWS:
- A. IF BONDS ARE ISSUED, ASSESSMENTS SHALL BEAR INTEREST AT A RATE SUFFICIENT TO PERMIT THE CITY TO PAY INTEREST ON THE BONDS, BUT IN ANY EVENT NOT TO EXCEED ONE PERCENT (1%) ABOVE THE AVERAGE BOND INTEREST RATE.
- B. ON JULY 1 OF EACH YEAR, OR THE FOLLOWING BUSINESS DAY IF JULY 1 IS A NOT A BUSINESS DAY, THE FINANCE DIRECTOR WILL ESTABLISH THE INTEREST RATE TO ACCRUE ON ASSESSMENTS FOR ASSESSMENT ROLLS CONFIRMED DURING THAT FISCAL YEAR IF NO BONDS ARE ISSUED. THE INTEREST RATE SHALL BE EQUAL TO THE TEN YEAR FEDERAL TREASURY NOTE RATE PUBLISHED ON JULY 1 (OR THE FOLLOWING BUSINESS DAY, IF JULY 1 IS A NOT A BUSINESS DAY) IN THE WALL STREET JOURNAL, OR, IF THE WALL STREET JOURNAL IS NOT PUBLISHING THE TEN YEAR FEDERAL TREASURY NOTE RATE, SUCH OTHER AUTHORITY SOURCE SELECTED BY THE DIRECTOR OF FINANCE. ~~seven percent per annum or, if bonds are issued in anticipation of unpaid installments of the assessment, at the bond issue interest rate plus one percent, whichever rate shall be greater, and.~~
- THE INTEREST will be collected on the unpaid PRINCIPAL balance from the original due date to the billing date of the second and subsequent installments.
- To delinquent payments made after ninety days, interest shall be added (adjusted for the number of months between the ninety-first day and the billing payment date). Interest shall be prorated based on the number of months that have elapsed between the ninety-first day and any cash or future installment payment made prior to the installment billing date. The second and subsequent installments shall include interest on the unpaid principal balance computed from the prior payment. No interest rate adjustments shall be made once spread, unless such interest has been erroneously computed OR

BONDS ARE SOLD AFTER THE INITIAL INTEREST COMPUTATION.

It shall be the sole responsibility of the Assessor to make all interest computations USING THE SPECIAL ASSESSMENT INTEREST RATE CALCULATED BY THE DIRECTOR OF FINANCE AS PROVIDED ABOVE. The Assessor shall also determine the final amount to be paid on settlement of a special assessment liability.

If neither the total assessment nor the first installment is paid within ninety days of confirmation, the taxpayer eligible for installment payments is automatically obligated to pay on the installment basis and is delinquent as to the first installment. A penalty ~~of four percent of the installment due~~ EQUAL TO THE PENALTY AND INTEREST CHARGED ON A DELINQUENT SUMMER TAX shall be charged on ~~at~~ THE FIRST delinquent installment.

Subsequent installment payments shall be billed July 1, with the due date coinciding with the City's due date for summer taxes, provided that the first two installments shall not become due within a period of less than 120 days of each other. Where the date of confirmation of the special assessment roll occurs less than 120 days preceding July 1 of any year, the second installment shall be due AND billed on July 1 one year hence, and succeeding installments annually thereafter on July 1. Succeeding installments in either case shall bear interest on the unpaid principal balance at the rate determined in the manner provided in this section. If any installment, other than the first, becomes delinquent, such installment shall be processed in the same manner as a delinquent tax and shall accrue the same penalties and interest as does a delinquent tax. Annual installments will be calculated to and billed on July 1 of each year, regardless of prepayments.

Payments made in addition to the annual installments shall not be considered as installment prepayment nor relieve the taxpayer of the responsibility of paying any annual installment billed July 1. Scheduled payments shall include principal, determined in the manner provided in this section, and all accrued interest and penalty.

Prior to any change of ownership of such properties on the installment payment special assessment program, certification must be presented to the Assessor proving that all special assessment taxes have been paid. Alternatively, a notarized agreement signed by the purchaser may be filed with the Assessor, which agreement clearly indicates that the purchaser is assuming the remaining lien.

(57) The City Engineer shall begin work or cause work to begin on a special assessment project on or before the first designated due date of a special assessment roll. If for some unavoidable circumstances, the Engineer cannot commence such work within the designated ninety days, he or she shall make a special report to Council stating the circumstances in detail.

(68) Once the installment option has been selected, the Assessor shall provide for the accounting function, which function shall allow the special assessment to be paid in approximately equal payments, subject to the installment provisions stated in this section.

(79) The City shall have a lien for the total amount of special assessment taxes, interest and penalties, which lien shall attach to the property liable for the same, from and after the date of the warrant for the collection of the whole or any installment thereof, and shall remain until all installments are fully paid.

(810) If Council borrows money and issues its bonds to pay for any paving or sewer, for which extension of time of payment of taxes therefor is granted by Council, such taxes annually paid by the property owner benefited, together with such sum raised and collected by the City for such purpose, shall be received and kept by the Treasurer in a special fund to be known as "_____ Street Paving Fund," or "_____ Sewer Fund," and the taxes so collected and placed to the credit of such fund shall be used for the purpose of paying the bonds issued for such paving or sewer, and for no other purpose, and shall be applied as Council directs.

(b) *Authority of Council; Interest on Unpaid Installments.* Notwithstanding any of the provisions of subsection (a) hereof, Council may grant an extension of time for payment of special assessments by any taxpayer upon the showing of special need or economic hardship, without regard to the use, whether commercial, professional, industrial or otherwise, of the property within a special assessment district.

Where bonds are issued in anticipation of unpaid installments of such special assessments, the rate of interest on such unpaid installments shall be established at such level as may be permitted by law.

(C) SAVINGS CLAUSE. ALL PROCEEDINGS PENDING AND ALL RIGHTS AND LIABILITIES EXISTING, ACQUIRED, OR INCURRED UNDER THIS CHAPTER BEFORE PASSAGE OF ORDINANCE _____, PASSED _____, 2007, ARE SAVED AND MAY BE CONTINUED AND CONSUMMATED ACCORDING TO THE LAW IN FORCE WHEN THEY WERE COMMENCED.

Section 2. All ordinances, resolutions or rules, parts of ordinances, resolutions or rules inconsistent with the provisions hereof are hereby repealed.

Section 3. Should any section, clause or phrase of this ordinance be declared to be invalid, the same shall not affect the validity of the ordinance as a whole, or any part thereof other than the part so declared to be invalid.

Section 4. This ordinance shall take effect on the 30th day after enactment, unless given immediate effect by City Council.

REPORTS FROM CITY OFFICERS, BOARDS, AND COMMISSIONS;

COMMUNICATIONS AND PETITIONS;

AND OTHER CITY RELATED MATTERS

By Councilmember Jeffries that all items be considered as being read in full and that President Leeman make the appropriate referrals

Motion Carried

Reports from City Officers, Board and Commissions:

- a. Letter from the City Clerk submitting minutes of Boards and Authorities placed on file in the City Clerk's Office

RECEIVED AND PLACED ON FILE

- b. Letters from the Mayor re:
 - i. Transfer of Funds; State/Federal Programs, Fire-Emergency Management

REFERRED TO THE COMMITTEE ON WAYS AND MEANS AND INTERNAL AUDIT

- ii. Brownfield Redevelopment Plan #36, Kalamazoo Gateway Brownfield Project

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

- iii. Planning Board review of Application for Neighborhood Enterprise (NEZ) Zone Certificate filed by the Lenawee Company for property located from Cedar St. to the west, Hosmer St. to the north, and includes the future Kalamazoo

Gateway project

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

- iv. Z-12-2007 and ACT-17-2007; 500 block of S. Cedar St., Planning Board recommendations re: a request filed by the City of Lansing Planning and Neighborhood Development Department and The Lenawee Company to rezone property located in the 500 block of E. Kalamazoo and the 200 block of S. Cedar St. from "H" Light Industrial District to "G-1" Business District for the Kalamazoo Gateway Project

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

- v. Z-9-2007 and LS-19-2007; 1242 Allen St., Planning Board recommendations re: a request filed by Steven Bacon to rezone the property located at 1242 Allen St. from "B" Residential District to "C" Residential District to bring the duplex at this location into compliance with the Zoning Ordinance and to construct another duplex on the vacant lot to the south; and to remove 8.35 feet from the vacant lot and add it to the property directly to the north at 1242 Allen St.

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

- vi. Z-8-2007; 5920 S. Martin Luther King, Jr. Blvd., Planning Board recommendations re: a request filed by Ronald Kinney to rezone the property at 5920 S. Martin Luther King, Jr. Blvd. from "A" Residential District to "E-2" Local Shopping District to bring the commercial building on the lot into compliance with the Zoning Ordinance.

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

- vii. Z-10-2007; 1242 N. Walnut St., Planning Board recommendation re: a request filed by Ahmed Assaf to rezone the property located at 1242 N. Walnut St. from "B" Residential District to "C" Residential District so that the building at this location could be used as a duplex

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

- viii. Z-13-2007; 509 Jason Ct., Planning Board recommendations re: a request filed by Jeff Deehan to rezone the property located at 509 Jason Ct. from "F" Commercial District to "A" Residential District to make the zoning designation of the property consistent with its single family residential use

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

- ix. Z-11-2007; 1411 Lyons Ave. and 809 Baker St., Planning Board recommendations re: a request filed by Cynthia Pattison and the Greater Lansing Housing Coalition to rezone the properties located at 1411 Lyons Ave. and 809 Baker St. from "F" Commercial District to "A" Residential District to bring the single family residential use of the properties into compliance with the Zoning

Ordinance

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

- x. ACT-16-2007; west of the 1600 block of N. Larch St., Planning Board recommendation re: a request filed by the Lansing Board of Water and Light - Sale of Surplus Property located west of the 1600 block of N. Larch St.

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

- Communications and Petitions, and Other City Related Matters:

- a. Request for Recognition of Non-Profit Status filed by William Acheson, Executive Director of Franklin Street Community Housing Corporation located at 618 Seymour St.

REFERRED TO THE COMMITTEE ON GENERAL SERVICES AND REFERRED TO THE CITY ATTORNEY

- b. Letters in support of Z-5-2007; 600 S. Capitol Ave., a request filed by AnnaBelle & Associates, Inc. for rezoning from "D-1" Professional Office District to "F-1" Commercial District submitted by:

- i. Richard Delaney of Pension Trend Investment Advisors, LLC

REFERRED TO THE PLANNING AND DEVELOPMENT DEPARTMENT AND REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

- ii. Shirley Elliott of Drolett Travel

REFERRED TO THE PLANNING AND DEVELOPMENT DEPARTMENT AND REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

- c. Affidavit of Disclosure filed by Joel McDowell, Board of Water & Light Employee

REFERRED TO THE BOARD OF ETHICS

- d. Petition submitted by Richwood Street Neighborhood Watch containing Thirty-One (31) signatures in support of video surveillance cameras

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

- e. Petition submitted by residents near the intersection of Hepfer Rd. and Stillwell Ave. containing sixty-five (65) signatures in support of video surveillance cameras

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

- f. Letter from Mrs. Wilson, Coordinator Neighborhood Watch containing a list of Neighborhood Watch residents and businesses in support of video surveillance cameras

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

- g. Letter from Patty Farhat, President of Lansing Neighborhood Watch Advisory Board in support of video surveillance cameras

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

- h. Letter from John Pollard, President of Fair Share Coalition of Lansing submitting a Freedom of Information Act

request

REFERRED TO THE CITY ATTORNEY

- i. Petition containing sixteen (16) signatures submitted by resident in opposition to Z-10-2007; 1242 N. Walnut St., a request filed by Ahmed Assaf to rezone the property located at 1242 N. Walnut St. from "B" Residential District to "C" Residential District so that the building at this location could be used as a duplex

REFERRED TO THE PLANNING AND DEVELOPMENT DEPARTMENT AND REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

- j. Letter from Stan Shuck, no address given, in opposition to a Noise Waiver during the school year in the CSO 034A Project Area

*SUSPENSION ITEM-RECEIVED AND PLACED ON FILE

MOTION OF EXCUSED ABSENCE

By Councilmember Quinney

To excuse Councilmembers Allen and Dunbar from tonight's proceedings

Motion Carried

REMARKS BY THE MAYOR

OR EXECUTIVE ASSISTANT

Jerry Ambrose, Executive Assistant to the Mayor, thanked the City Council for their support on amending the ordinance on special assessments. He addressed comments that were made by a speaker regarding the Oliver Towers Building.

ADJOURNED TIME 10:47 P.M.

CHRIS SWOPE, CITY CLERK



**OFFICIAL PROCEEDINGS OF
THE CITY COUNCIL
CITY OF LANSING
PROCEEDINGS OF DECEMBER 10, 2007**

City Council Chambers
Lansing, Michigan

The City Council of the City of Lansing met in regular session and was called to order at 7:00 p.m. by President Leeman.

PRESENT: Councilmembers Allen, Dunbar, Jeffries, Kaltenbach, Leeman, Matt, Quinney, Wood

ABSENT: None

The Council observed a moment of Meditation followed by the Pledge of Allegiance led by President Leeman

APPROVAL OF MINUTES

By Councilmember Jeffries

To approve the printed Council Proceedings of November 19 and 26, and December 3, 2007

Motion carried

CONSIDERATION OF LATE ITEMS

By Vice President Jeffries

To suspend City Council Rule #11 to allow for Consideration of Late Items

Motion carried

The following items were added to the agenda:

1. From Councilmember Wood; Letter from Bruce Holliday, Chair of the Police/Fire Retirement Board in opposition to a proposed Ordinance to authorize the Mayor to designate a person to act on his behalf as a member of the Police and Fire Retirement System Board
2. From Councilmember Wood; Letter from Thomas Krug, Executive Director of Capitol City Lodge No. 141 Fraternal Order of Police in opposition to a proposed Ordinance to authorize the Mayor to designate a person to act on his behalf as a member of the Police and Fire Retirement System Board
3. From Councilmember Wood; Letter from Bryan Epling, President of Lansing Firefighters, IAFF L-421 in opposition to a proposed Ordinance to authorize the Mayor to designate a person to act on his behalf as a member of the Police and Fire Retirement System Board
4. From Councilmember Allen; Letter from Carolyn Lindeman of 11796 Silverspring Dr., Dewitt, MI in support of Z-5-2007
5. From Councilmember Allen; Letter from W. Lee Hladki, President of the Greater Lansing Convention & Visitors Bureau in support of Z-5-2007
6. From Councilmember Allen; Letter from attorneys on behalf of the Michigan Manufacturers Association (MMA) stating conditions to drop its petition in opposition to Z-5-2007
7. From Councilmember Dunbar; Letter from Linda Sims of 517 N. Cedar St. in support of surveillance cameras throughout the City of Lansing
8. From Councilmember Dunbar; Public Improvement I; Recommendations regarding Curb and Gutter, Sidewalk and necessary Storm Drainage Facilities on Northrup St., from Washington Ave. to Cedar St.

TABLED ITEMS

SPECIAL CEREMONIES

• Special Ceremonies

1. Tribute; Recognition of students from Lansing School District's Wainwright Leadership Magnet Academy

Councilmember Quinney said it is an honor and a pleasure to have here tonight students and faculty from Wainwright Leadership Magnet Academy. He said they have been honored and recognized as a National Magnet School of America, National School of Excellence and they have done this in three short years.

Clerk Swope read the following resolution:

RESOLUTION#517

BY COUNCILMEMBER DERRICK QUINNEY
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Lansing School District's Wainwright Leadership Magnet Academy has been honored nationally as a Magnet School of America, National School of Excellence in only three short years; and

WHEREAS, the students of Wainwright Leadership Magnet Academy earned their esteemed honor through numerous community service projects, creating fundraisers for Coins For a Cause, Operation Santa, Leaf Raking for senior citizens, and a Popcorn Fundraiser to provide scholarships for students to go on academic trips; and

WHEREAS, Wainwright Student Government Students meet weekly to make decisions for the school and writing and giving community speeches on issues such as creating improvements to a neighborhood park; and

WHEREAS, the students also collect signatures for Wainwright Park and organize community activities, including the Hispanic Leaders Gallery Walk and the African-American Leaders Gallery Walk, and the Yes, We CAN!! Can Food Drive; and

WHEREAS, Wainwright's Christian based after school group, the Men of Standards and Ladies of Distinction also show tremendous leadership and are attending an upcoming MLK Jr. Breakfast and fundraising for their North American International Auto Show in Detroit and annually attending the Bea Christy Dinner and the Michigan Women's Hall of Fame Awards Dinner; and

WHEREAS, the school's Ballroom Dancers participated at a district-wide event and the Chess Club participated in a city-wide Chess Tournament;

WHEREAS, among the students fine accomplishments at Wainwright Leadership Magnet Academy they formed Fire Up Friday, a Magnet After School Coalition program which provides an outlet for Christian beliefs in an after school setting for hundreds of district students; and

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, wishes to thank Wainwright Leadership Magnet Academy and its students for their dedication to serving the community and the City of Lansing. We wish you continued success!!

By Councilmember Quinney

Motion Carried

Principal Mask stated she was honored to receive this award. She said this shows what Wainwright is all about. She said we develop leaders one student at a time. She thanked the City Council and the Mayor for all of their support.

Mayor Bernero congratulated the students and the staff at Wainwright for the great job that they have done.

Paul Carrier stated that these are special people standing here. He said everyone at Wainwright has worked very hard to make this happen. He said the students could not have done so much without the support of their parents and families.

Councilmember Matt congratulated the students and staff for a great job. He welcomed them into their new leadership roles. He presented the following students and staff with their certificates: Margaret Foster, Alexis Washington, Samantha Garza, Daquaria Beard, Frank Parks, Elizabeth Lieber, Douachee Lor, Devin Torrance, Dominique Harris-Nash.

COUNCILMEMBERS' COMMENTS AND CITY CLERK'S ANNOUNCEMENTS:

Councilmember Allen announced Old Everett Neighborhood Association monthly meeting.

Councilmember Kaltenbach announced the Holiday Open House at Turner Dodge House.

Councilmember Dunbar announced the Sagamore Christmas Potluck and the Lansing/Eaton Neighborhood Christmas Potluck. She stated that Lansing Community College's Gay/Straight Alliance will be hosting their annual drag show. The Lansing Women's Chorus and the Greater Lansing Gay Men's chorus will be performing a "Night of Hope and a Day of Peace" concert.

Councilmember Quinney thanked the volunteers who helped with the Old Newsboys paper drive. He thanked Alvin Bonds for all the years that he has put in on the paper. He stated that DN Productions will be hosting a Black and Tan Reunion at Gregory's.

City Clerk Swope announced that the Ballots for the January 15 election are available in his office. He said changes to the law require voters to indicate which party ballot they will need. He stated that the postage is \$0.58 cents to mail the ballots back.

President Leeman asked that we remember the family of Karen German, a tour guide at the Capitol, who passed away recently.

SPEAKER REGISTRATION FOR PUBLIC COMMENT

Clerk Swope announced that the public comment registration form(s) for those intending to address Council on legislative or City government matters will be collected and that only those persons who have fully completed the form(s) will be permitted to speak.

MAYOR'S COMMENTS

Mayor Bernero spoke about his request for a budget transfer for our police department's video surveillance camera program on tonight's agenda. He mentioned several communities around the country that have had some success with surveillance cameras. He spoke about a

partnership with the Lansing School District to transform the Hill Center for Academics and Technology into a joint facility that will become the new South Side Community Center. He spoke about the Capitol Club Towers project on South Grand Avenue in downtown Lansing, the Personal Property Tax Exemption for Barnes Aerospace, and the rezoning request for AnnaBelle Associates in the 600 block of South Capitol. He reminded City employees that tomorrow at the end of the day is the deadline for this year's Toys for Tots Challenge with the Board of Water and Light. He spoke about last week's incident involving a barricaded gunman and expressed his gratitude for the brave men and women of our police department, who put on a badge and a bulletproof vest every day, and who routinely put themselves in the line of danger to keep our City and our citizens safe. He also expressed his condolences to the family of the individual who lost his life in this incident.

SHOW CAUSE HEARINGS

- Comment on Scheduled Show Cause Hearings:

There were no Show Cause Hearings

PUBLIC COMMENT ON LEGISLATIVE MATTERS

- Public Comment on Legislative Matters:

Legislative Matters included the following public hearings:

1. In consideration of an Ordinance of the City of Lansing to amend Chapter 294, Section 294.02(c) of the Lansing Codified Ordinances to authorize the Mayor to designate a person to act on his behalf as a member of the Police and Fire Retirement System Board
2. In consideration of an Ordinance of the City of Lansing to amend Chapter 292, Section 292.04 of the Lansing Codified Ordinances to authorize the Mayor to designate a person to act on his behalf as a member of the Employees' Retirement System Board

Councilmember Wood gave a brief overview of both public hearings.

Nathan Mercer of 615 S. Holmes St. spoke in support of surveillance cameras.

David Keeney of 5931 Joshua St. Spoke in support of surveillance cameras.

Stan Shuck of 818 Cooper Ave. spoke about how the surveillance cameras will not stop crime.

Bruce Holliday of 120 W. Lapeer St. spoke in opposition to the Ordinance amendment for the Police and Fire Retirement Board. He spoke about concerns that he has with surveillance cameras.

Lynne Martinez of 1017 W. Lapeer St. spoke in support of the CDBG transfer of funds.

John Pollard of 1718 Blair St. spoke in opposition to surveillance cameras. He spoke in opposition to the OPRA request filed by Zander Management Company.

Darnell E. Oldham Sr. of 3815 Berwick Dr. spoke in opposition to surveillance cameras.

Sandra Kowalk 1907 Moffitt St. spoke in support of surveillance cameras.

Christine Timmon of 2519 Washington Ave. spoke in opposition to the amendments to the ordinances. She spoke in opposition to surveillance cameras.

Bob Gray of 422 Dadson Dr. spoke in opposition to surveillance cameras.

Carl Calille of 306 Harriet Ave. spoke in opposition to surveillance cameras.

Stephanie Whitbeck of 620 W. Ionia St. spoke in support of the surveillance cameras.

Robert Noordhoek of 3640 Sawgrass Circle spoke in support of surveillance cameras.

Charlene Decker of 2711 Pleasant Grove Rd. spoke in opposition to surveillance cameras.

The Council returned to the order of:

CONSIDERATION OF LATE ITEMS

By Vice President Jeffries

To suspend City Council Rule #11 to allow for Consideration of Late Items

Motion carried

The following item was added to the agenda:

9. From Councilmember Wood; Transfer of Funds; Internal Audit, laptop and docking station

PUBLIC COMMENT ON CITY GOVERNMENT RELATED MATTERS:

Patty Smith of 1124 W. Edgewood Blvd. spoke about the CATA bus stop that was removed from Edgewood Blvd.

Willie Hobbs of 5017 S. Conner St. spoke about various city matters.

Stan Shuck of 818 Cooper Ave. spoke about various city matters.

Aaron Stuttman of 2331 Forest Rd. spoke about privacy. He stated that he is in opposition to surveillance cameras.

Bob Gray of 422 Dadson Dr. spoke about various city matters.

Frank S. Curtis X of 1137 W. Allegan St. spoke about various city matters.

Samuel Horton of 3321 Hepfer Dr. spoke about concerns with surveillance cameras.

Greg Kemppainen of 1103 Walsh St. spoke about concerns with surveillance cameras.

Virginia Humble of 604 E. Fredrick St. spoke about various city matters.

William Hubbell of 3916 Wedgewood Ave. spoke about the upcoming holiday season.

Walter Brown of 1310 Knollwood Dr. spoke about concerns with the placement of the surveillance cameras.

Manuela Kress of 1712 Michigan Ave. spoke about the Women's Center.

Rob Wilcox of 1104 Pershing Dr. spoke about the proposed new State Police Building.

John Pollard of 1718 Blair St. spoke about various city matters.

Darnell E. Oldham Sr. of 3815 Berwick Dr. spoke about various city matters.

Christine Timmon of 2519 Washington Ave. spoke about various city matters.

Gary Andrews of 560 Brookland Blvd. spoke about various city matters.

Charlene Decker of 2711 Pleasant Grove Rd. spoke about various city matters.

Vice President Jeffries asked to return to Legislative matters so two speakers could speak. He stated that these two people were in the conference room in a meeting regarding the rezoning of 600 S. Capitol Ave. By unanimous consent, the council returned to the order of:

PUBLIC COMMENT ON LEGISLATIVE MATTERS

Ann Andrews stated that Annabelle and Associates and the Michigan Manufacturer's Association have reached an agreement regarding the proposed rezoning for 600 S. Capitol Ave. She said that they will be submitting the conditions of the agreement in writing to the City Council before next week's meeting. She highlighted some of the agreed upon conditions.

David Grande-Cassell, representing the Michigan Manufacturer's Association, spoke in support of the proposed conditions that Michigan Manufacturer's Association has agreed to with Annabelle and Associates. He thanked everyone for the work that they have done in coming to this agreement.

REFERRAL OF PUBLIC HEARINGS

1. In consideration of an Ordinance of the City of Lansing to amend Chapter 294, Section 294.02(c) of the Lansing Codified Ordinances to authorize the Mayor to designate a person to act on his behalf as a member of the Police and Fire Retirement System Board

*SUSPENSION ITEM-Letter from Bruce Holliday, Chair of the Police/Fire Retirement Board in opposition to a proposed Ordinance to authorize the Mayor to designate a person to act on his behalf as a member of the Police and Fire Retirement System Board

*SUSPENSION ITEM-Letter from Thomas Krug, Executive Director of Capitol City Lodge No. 141 Fraternal Order of Police in opposition to a proposed Ordinance to authorize the Mayor to designate a person to act on his behalf as a member of the Police and Fire Retirement System Board

*SUSPENSION ITEM-Letter from Bryan Epling, President of Lansing Firefighters, IAFF L-421 in opposition to a proposed Ordinance to authorize the Mayor to designate a person to act on his behalf as a member of the Police and Fire Retirement System Board

REFERRED TO THE COMMITTEE ON WAYS AND MEANS AND INTERNAL AUDIT

2. In consideration of an Ordinance of the City of Lansing to amend Chapter 292, Section 292.04 of the Lansing Codified Ordinances to authorize the Mayor to designate a person to act on his behalf as a member of the Employees' Retirement System Board

REFERRED TO THE COMMITTEE ON WAYS AND MEANS AND INTERNAL AUDIT

LEGISLATIVE MATTERS

RESOLUTIONS

REFERRED TO THE COMMITTEE OF THE WHOLE

BY COUNCILMEMBER DUNBAR
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Public Service Department has recognized the need for street improvements, including the need for construction of **curb and gutter, sidewalk and the necessary storm drainage facilities on Northrup Street from Washington Avenue to Cedar Street**; and

WHEREAS, pursuant to Chapter 1026 of the Lansing Code of Ordinances, the Public Service Department and the Mayor's office submitted to City Council, a Public Improvement I resolution on October 1, 2007; and

WHEREAS, by approval of the resolution, City Council would determine that this proposed public improvement would especially benefit properties in the vicinity of the work to be done and would establish a benefit district to be specially assessed for the public improvement; and

WHEREAS, the installation of curb and gutter and sidewalks was recommended by Public Service as the alternative that best meets the need of the local residents and the City at large, and

WHEREAS, the residents have expressed their opposition to the Public Service Department's recommendation of the installation of concrete curb and gutter and sidewalks as well as any attempt to widen the roadway; and

WHEREAS, design standards associated with the Surface Transportation Program (STP) Program prohibit the replacement of this road at its current width; and

WHEREAS, the installation of a shared use path (or bike path) would not be possible without widening the roadway; and

WHEREAS, approximately 80% of the funding for construction, or \$860,000, needed to provide these improvements are currently in the form of Surface Transportation Program (STP) 2008 monies provided via the Tri-County Regional Planning Commission (TCRPC), as listed in the 2008-2011 Transportation Improvement Program (TIP); and

WHEREAS, any unutilized STP monies will be turned back to the TCRPC and redistributed for other projects and

WHEREAS, further funding may not be available to replace these funds for several years thus postponing any Northrup Street reconstruction for the near future; and

WHEREAS, postponing this project will cause the street to not receive any improvements for the near future.

NOW THEREFORE be it resolved that the Council reject any further attempts by the Public Service Department to forward any public improvements regarding improvement to this section of Northrup Street.

By Councilmember Allen

To refer the Resolution to the Committee of the Whole

Motion Carried

RESOLUTION#518

BY THE COMMITTEE ON DEVELOPMENT AND PLANNING
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

Obsolete Property Rehabilitation Act: 309 Clinton Street.

WHEREAS, the prospective owner of property located at 309 Clinton Street in the City of Lansing, Michigan (the Property) has requested in writing that the City of Lansing establish an Obsolete Property Rehabilitation District (the District) as enabled by Public Act 146 of 2000, the Obsolete Property Rehabilitation Act (the Act), and

WHEREAS, the current owner is Zander Management, LLC, hereinafter called the Developer, and

WHEREAS, the owner is presently the legal owner of greater than fifty percent (50%) of all taxable value of the property located within the proposed District, and

WHEREAS, the owner has, in writing, requested the District for the Property and for the City of Lansing to take all necessary steps and actions to establish the District on their behalf, and

WHEREAS, the property in question and the proposed boundary of the District is legally described as:

LOTS 13 & 16 BLOCK 7 ORIG PLAT and,

WHEREAS, the Act requires that before establishing the District the Lansing City Council hold a public hearing in order to provide an opportunity for owners, residents or other taxpayers of the City of Lansing to appear and be heard regarding the establishment of the District and that said public hearing was held on December 3, 2007;

NOW THEREFORE BE IT RESOLVED that the following property is hereby approved and established as an Obsolete Property Rehabilitation District as provided by Public Act 146 of 2000:

LOTS 13 & 16 BLOCK 7 ORIG PLAT and,

BE IT FINALLY RESOLVED that this resolution shall not be construed as the City Council's approval of any future application for an Obsolete Properties Rehabilitation Exemption Certificate for the Developer or any other applicant.

By Councilmember Jeffries

Motion Carried

RESOLUTION#519

BY THE PLANNING AND DEVELOPMENT COMMITTEE
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

Personal Property Exemption – Barnes Aerospace

WHEREAS, pursuant to Public Act 328 of 1998 (1998 PA 328), Barnes Aerospace has made Application for Exemption of New Personal Property (PPE-01-07) for COM 1036.67 FT N OF E ¼ COR SEC 3, TH W 963.8 FT TO E'LY LINE CON RAIL R/W, NW'LY ON R/W TO INTN S LINE OF N 753.9 FT NE ¼ SAID SEC, E TO E LINE SAID SEC, S TO BEG, EXC N 150 FT OF E 415 FT THEREOF; SEC T3N R2W, commonly known as 5300 Aurelius Road, and that is contained within the Lansing Brownfield Redevelopment Zone, established by the Lansing City Council on August 18, 1997 pursuant to Act 381 of 1996, as amended; and

WHEREAS, a public hearing was held December 3, 2007, on the Barnes Aerospace Application for Exemption of New Personal Property, at which, and with advance written notice, the assessor and all representatives of affected taxing units were afforded an opportunity to appear and be heard on the application and exemption request; and

WHEREAS, the City is an eligible distressed community under Public Act 328 by containing NEZ classifications under Neighborhood Enterprise Zone Act of 1992, and as acknowledged in the State Tax Commission bulletin on exemption of new personal property to assessing officers, dated May 10, 1999; and

WHEREAS, Lansing Brownfield Redevelopment Zone area is an eligible district under Public Act 328, as amended, and it is within the jurisdiction of the City of Lansing and, therefore, within an eligible distressed community; and

WHEREAS, Lansing Tax Increment Finance Authority District is an eligible district under Public Act 328, as amended, and it is within the jurisdiction of the City of Lansing and, therefore, within an eligible distressed community; and

WHEREAS, Barnes Aerospace meets the requirements of an eligible business under Public Act 328 by being primarily engaged in office operations;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council hereby approves the application of Barnes Aerospace for exemption of new personal property PPE-01-07 pursuant to Public Act 328 of 1998, as amended, for that portion of the Lansing Brownfield Redevelopment Zone and Lansing Tax Increment Finance Authority District, legally described as:

COM 1036.67 FT N OF E ¼ COR SEC 3, TH W 963.8 FT TO E'LY LINE CON RAIL R/W, NW'LY ON R/W TO INTN S LINE OF N 753.9 FT NE ¼ SAID SEC, E TO E LINE SAID SEC, S TO BEG, EXC N 150 FT OF E 415 FT THEREOF; SEC T3N R2W; Commonly known as 5300 Aurelius Road, Lansing, Michigan.

BE IT FURTHER RESOLVED that the personal property exemption PPE-01-07 under Public Act 328 shall be for the period of six (6) years effective Dec. 31, 2007 and ending Dec 30, 2013.

BE IT FINALLY RESOLVED that the City Clerk shall cause the application for exemption of new personal property PPE-01-07 to be completed and shall cause the completed application and a copy of this Resolution to be filed with the State Tax Commission.

By Councilmember Jeffries

Motion Carried

RESOLUTION#520

BY THE COMMITTEE ON DEVELOPMENT AND PLANNING
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

Obsolete Property Rehabilitation Act: 1030 S. Holmes Street.
Establishment of OPRA District

WHEREAS, the intending purchaser of property located at 1030 S. Holmes Street in the City of Lansing, Michigan (the Property) has requested in writing that the City of Lansing establish an Obsolete Property Rehabilitation District (the District) as enabled by Public Act 146 of 2000, the Obsolete Property Rehabilitation Act (the Act), and

WHEREAS, the intending purchaser is Spartan Internet Consultants, hereinafter called the Developer, and

WHEREAS, the Developer is intending to become the legal owner of greater than fifty percent (50%) of all taxable value of the property located within the proposed District, and

WHEREAS, the Developer has, in writing, requested the District for the Property and for the City of Lansing to take all necessary steps and actions to establish the District on their behalf, and

WHEREAS, the property in question and the proposed boundary of the District is legally described as: LOTS 1 THRU 13 INCL & LOTS 21 THRU 34 INCL BLOCK 11 MANUFACTURERS ADD NO 2; and,

WHEREAS, the Act requires that before establishing the District the Lansing City Council hold a public hearing in order to provide an opportunity for owners, residents or other taxpayers of the City of Lansing to appear and be heard regarding the establishment of the District and that said public hearing was held on December 3, 2007;

NOW THEREFORE BE IT RESOLVED that the following property is hereby approved and established as an Obsolete Property Rehabilitation District as provided by Public Act 146 of 2000: LOTS 1

THRU 13 INCL & LOTS 21 THRU 34 INCL BLOCK 11
MANUFACTURERS ADD NO 2, and

BE IT FINALLY RESOLVED that this resolution shall not be construed as the City Council's approval of any future application for an Obsolete Properties Rehabilitation Exemption Certificate for the Developer or any other applicant.

By Councilmember Jeffries

Motion Carried

RESOLUTION#521

BY THE COMMITTEE ON DEVELOPMENT AND PLANNING
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the City received from the Ingham County Treasurer a list of nine parcels of property in the City of Lansing foreclosed in 2007 for unpaid property taxes pursuant to Public Act 123 of 1999; and

WHEREAS, under Section 78m(6) of said Act, being MCL 211.78m(6) the title to the listed parcels will be automatically transferred to the City of Lansing on December 30, 2007, unless the City objects to the transfer of all or any parcel before the transfer is made; and

WHEREAS, the administration, through the Development Office, has reviewed and is acquainted with the nine listed parcels and has inquired of City departments regarding the usefulness of the parcels for City public purpose or their desirability for future use or development; and

WHEREAS, the administration, through the Development Office, has determined that the City has no interest in acquiring these parcels because the cost of maintaining such property will exceed any benefit that will be obtained; and

WHEREAS, the City does not wish the Ingham County Treasurer to transfer title to the City for these parcels, and

WHEREAS, it is the recommendation of the Mayor that the nine parcels contained in this resolution be rejected by the City from the automatic transfer under Section 78m(6) of the Act;

NOW, THEREFORE, BE IT RESOLVED the City of Lansing hereby objects to the transfer of title to the City of the following tax foreclosed parcels:

33-01-01-04-153-002

LOT 81 IDEAL HOMESITES

Property Address: Turner St., Lansing, MI 48906

33-01-01-10-132-271

LOTS 10 & 11 FRANKLIN HEIGHTS SUB

Property Address: Vermont Ave., Lansing, MI 48906

33-01-01-14-151-240

S 3 FT LOT 9; COLUMBIA PARK

Property Address: Vine St., Lansing, MI 48912

33-01-01-14-329-141

LOT 267 SNYDERS SUB

Property Address: S. Mifflin Ave., Lansing, MI 48912

33-01-01-17-253-081

W 2 FT OF S 5 1/2 R LOT 17 BLOCK 1 G S FRENCHS SUB & E 1/2 LOT 6 BLOCK 1 HOLMES PLAT REC L 2 P 41

Property Address: W. Ionia St., Lansing, MI 48915

33-01-01-23-103-061

LOT 50 LANSING ADDITION COMPANY'S SUB REC L 5 P 20

Property Address: S. Magnolia Ave., Lansing, MI 48915

33-01-01-28-451-181

COM AT SE COR LOT 19 FOSTERDALE SUB, TH N 76.5 FT ON E LINE SAID LOT 19, E 25.9 FT TO CL FORMER ME RR R/W S 15 DEG E 79.3 FT ALONG SAID CL W 46.4 FT TO BEG; SEC 28 T4N R2W

Property Address: Everett Lane, Lansing, MI 48910

33-01-05-04-353-022

OUTLOT A POTOMAC PARK

Property Address: W. Miller Rd., Lansing, MI 48911

33-01-05-10-176-181

COM N 1/4 POST SEC 10, TH S 0 DEG 25 MIN 12 SEC E ALONG N&S 1/4 LINE 1801.57 FT, S 89 DEG 34 MIN 48 SEC W 284.23 FT TO PTOF BEG ON WLY R/W RAMP D I-96, TH N 21 DEG 21 MIN 12 SEC W ALONG SAID R/W 124.55 FT, S 2 DEG 19 MIN W 981.28 FT, S 29 DEG 44 MIN 57 SEC E 24.83 FT TO WLY R/W RAMP D, NLY ALONG WLY R/W RAMP D TO BEG; SEC 10 T3N R2W

Property Address: No Street Frontage, Lansing, MI 48911

BE IT FURTHER RESOLVED the City Clerk transmit a certified copy of this resolution to the Ingham County Treasurer on or before December 21, 2007, as written evidence of the City of Lansing's objection under Section 78m(6) of 123 PA 1999; MCL 211.78m(6).

This resolution shall be given immediate effect upon passage.

By Councilmember Jeffries

Motion Carried

RESOLUTION#522

BY THE COMMITTEE ON DEVELOPMENT & PLANNING
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

Resolved by the City Council of the City of Lansing that a public hearing be set for Monday, January 7, 2008, at 7 p.m. in City Council Chambers, Tenth Floor, Lansing City Hall, 124 West Michigan Avenue, Lansing, Michigan, for the purpose of approving and/or opposing the Ordinance for rezoning:

Act-17-2007, 500 Block of E. Kalamazoo Street & 200 Block of S. Cedar Street, Negotiate the Exchange of Property

By Councilmember Jeffries

Motion Carried

RESOLUTION#523

BY THE COMMITTEE ON DEVELOPMENT AND PLANNING
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

SLU-3-2006

930 N. Larch Street

Residential Use in the "H" Light Industrial District

WHEREAS, after the required public hearing and Planning Board review and recommendation, the applicant, Fady, Inc., was granted a Special Use Permit (SLU-3-2006) on January 29, 2007 (Resolution #012) to permit construction of a 4-unit residential townhouse building at 930 N. Larch Street, subject to the following conditions:

1. A decorative brick wall, three feet in height, be constructed along the street side of the parking lot;
2. A decorative brick wall, six feet in height, be constructed around the remainder of the parking area;
3. A decorative screening fence, six feet in height, be constructed along the side property lines;
4. One small tree be planted in each of the grass areas north of the building and one large shade tree be planted in the grass area immediately west of the building;
5. All plant materials be installed prior to occupancy of the building and maintained for the life of the project. Should any plant materials need to be replaced, such replacement shall take place within thirty (30) days after notification by the city, weather permitting; and

WHEREAS, the applicant has constructed the building and is seeking an occupancy permit; and

WHEREAS, the Planning Office has not issued an occupancy permit because the applicant has not complied with the SLU conditions required, in that it has not constructed the decorative brick wall as required; and

WHEREAS, the applicant has requested the Council amend the requirements of Resolution #012 of 2007 to permit it to construct a decorative "concrete" wall instead of a decorative brick wall around the building's parking lot; and

WHEREAS, Council finds that the requirement of the decorative brick wall around the parking lot was an essential and required factor in granting SLU-03-2006; and

WHEREAS, a review was completed by staff evaluating the character, location, and impact this proposal would have on the surrounding area and the impact on the environment, utilities, services, and compliance with Zoning Code and objectives of the Comprehensive Plan, as well as Resolution #012 of 2007; and

WHEREAS, the Committee on Development and Planning has heard from the Zoning Administrator and the applicant's representative and does not agree with the applicant that Resolution #012 of 2007, SLU-03-2006, should be amended.

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council hereby denies amending SLU-3-2007, to allow construction of a decorative concrete wall in place of the decorative brick wall; and

BE IT FURTHER RESOLVED that in denying this request to amend SLU-03-2007, Council determines the following:

1. The proposed change will not be designed in a manner that is harmonious with the surrounding area in that it will not be a decorative brick wall.

2. The proposed change could interfere with the enjoyment of adjacent properties by diminishing the views from neighboring properties; more specifically, the concrete wall will have an unsightly appearance.

BE IT FURTHER RESOLVED that the terms and conditions of Resolution #012 of 2007 remain in full force and effect and that the applicant's Special Land Use Permit (SLU-03-2006) shall remain in effect only so long as the applicant fully complies with the conditions

set forth in Resolution #012 of 2007.

BE IT FINALLY RESOLVED that if the applicant fails to comply with any condition in Resolution #012 of 2007, the applicant's Special Land Use permit may be terminated by City Council Resolution.

By Councilmember Jeffries

Motion Carried

RESOLUTION#524

BY THE PLANNING AND DEVELOPMENT COMMITTEE
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

BROWNFIELD PLAN #36 – Kalamazoo Gateway Brownfield Project

WHEREAS, the Lansing Brownfield Redevelopment Authority has prepared and forwarded an approved Brownfield Plan pursuant to and in accordance with the provisions of the Brownfield Redevelopment Financing Act, Public Act 381 of 1996, as amended, for property commonly referred to as 500 Kalamazoo and 229 South Cedar, located in the City of Lansing; and

WHEREAS, prior to Council's action on this request, it is necessary to hold a public hearing on the Plan, to allow for any resident, taxpayer or ad valorem taxing unit the right to appear and be heard;

NOW, THEREFORE, BE IT RESOLVED that a public hearing be held in the City Council Chambers of the City of Lansing, 10th Floor, Lansing City Hall, Lansing, Michigan, on January 7, 2008 at 7:00 p.m. on Brownfield Plan #36 – Kalamazoo Gateway Brownfield Project under the Brownfield Redevelopment Financing Act, for property located within the boundary more particularly described by parcel numbers as:

33-01-01-16-427-122

33-01-01-16-427-082

33-01-01-16-427-051

And that the City Clerk cause notice of such hearing to be published twice in a publication of general circulation, no less than 20 days or more than 40 days prior to the date of the public hearing, and that the City Clerk also cause the legislative body of each taxing unit levying ad valorem taxes on this property, to be notified of Brownfield Plan #36 and the scheduled public hearing.

By Councilmember Jeffries

Motion Carried

RESOLUTION#525

BY THE COMMITTEE ON DEVELOPMENT AND PLANNING
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

Act-16-07, 1600 Block N. Larch, LBWL Property (PPN 33-01-01-09-235-031), Market for Sale

WHEREAS, the City of Lansing Board of Water and Light wishes to market the former electrical substation in the 1600 Block for sale; and

WHEREAS, the subject parcel is roughly triangular in shape, measuring 10,500± square feet, and surrounded by industrial land uses; and

WHEREAS, the parcel contains a former electrical substation in two-story brick building which the LBWL has deemed to be surplus to its operations, and no other agency has identified a public purpose for retaining the property; and

WHEREAS, according to the LBWL, a prospective purchaser is interested in acquiring the property, and using it for a surface parking lot; and

WHEREAS, at its meeting on November 20, 2007, the Planning Board reviewed the location, character and extent of Act-16-07 in accordance with its Act 285 Review procedures, and found that the industrial character of the area will be substantially unaffected by the sale of this property, and that there is no identified public purpose for retaining the property; and

WHEREAS, on November 20, 2007, the Planning Board voted unanimously (4-0) to recommend approval of Act-16-07, the request by the LBWL to sell the subject property; and

WHEREAS, the Committee on Development and Planning reviewed the report and recommendation of the Planning Board and concurs therewith;

NOW, THEREFORE, BE IT RESOLVED, that the Lansing City Council hereby approves Act-16-07, the marketing for sale, for fair market value, of the subject LBWL property in the 1600 Block of N. Larch, more specifically described as:

LOTS 30 THRU 34 INCLUSIVE EXC. THAT PART LYING W. OF A LINE COMM. 15.28 FT E. OF THE S.W. COR. OF LOT 30; TH. N 10°24'32" E TO A POINT ON N. LINE OF LOT 32 THAT IS 34.36 FT E. OF THE N.W. COR. OF SAID LOT; TH. N 10°24'32" E 47.9 FT.; TH. N 54° 50' 51" E 30.35 FT. TO THE N. LINE OF LOT 34, EXC. THE N. 4.25 FT. OF LOT 34, NELLERS SUB. NO. 1.

BE IT FINALLY RESOLVED, that no offer to buy may be accepted, and the sale shall not be completed without final City Council resolution authorizing the sale of the property.

By Councilmember Jeffries

Motion Carried

RESOLUTION#526

BY THE COMMITTEE ON GENERAL SERVICES
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Licensing and Entertainment Division of the Michigan Liquor Control Commission received a request from Kamlesh Patel, Amrat Patel, and Sandeep Desai to transfer Ownership of 2007 B-Hotel Licensed Business with Dance Permit, located at 3121 E. Grand River Ave., Lansing, MI 48912, Ingham County, from Lansing Hotel Management Company, Inc. to Windson, Inc.; and

WHEREAS, all appropriate signatures were obtained to transfer Ownership of 2007 B-Hotel Licensed Business with Dance Permit, located at 3121 E. Grand River Ave., Lansing, MI 48912, Ingham County from Lansing Hotel Management Company, Inc. to Windson, Inc.; and

WHEREAS, the Committee of the Whole reviewed the executed forms and request with an affirmative vote;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, approves the transfer Ownership of 2007 B-Hotel Licensed Business with Dance Permit, located at 3121 E. Grand River Ave., Lansing, MI 48912, Ingham County, from Lansing Hotel Management Company, Inc. to Windson, Inc.;

BE IT FURTHER RESOLVED, the City Clerk is requested to notify Kamlesh Patel, Amrat Patel, Sandeep Desai and Michigan Liquor Control Commission of the approval by the Lansing City Council.

By Councilmember Kaltenbach

Motion Carried

RESOLUTION#527

BY THE COMMITTEE ON GENERAL SERVICES
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, pursuant to Resolution #421 adopted by this council on October 22, 2007, a public hearing was held on Monday, November 19, 2007, in consideration of this request by Public Service Department for issuance of a waiver of the noise ordinance to permit the contractor for the CSO 018 Southwest Project to work Monday through Friday from 8:00 PM to 10:00 PM and Saturdays from 8:00 AM to 8:00 PM, while conducting construction activities on all streets within the 018 Southwest Project Area, and on Sundays from 8:00 AM to 5:00 PM, specifically while conducting construction activities on Larch Street and Cedar Street; and

WHEREAS, the CSO 018 Southwest Project Area is roughly bounded by Grand River Avenue, Center Street, Saginaw Street, and Pennsylvania Avenue; and

WHEREAS, the time schedule associated with this CSO project is aggressive relative to the large amount of construction required for completion during the 2008 and 2009 construction season; and

WHEREAS, the required construction on Larch Street and Cedar Street will result in the full closure of these major roads; and

WHEREAS, the use of extended works hours will facilitate compliance with the aggressive time schedule for this CSO project and will reduce the time Larch Street and Cedar Street will be closed; and

WHEREAS, a comment was received at the public hearing expressing concern regarding noise from construction staging and the associated noise from standing, idling construction vehicles at a time in the morning prior to the permitted work start time (i.e., 7:00 AM, Monday through Friday).

NOW, THEREFORE, BE IT RESOLVED that the Public Service Department will require that the contractor not generate noise from construction, construction staging, and/or from standing, idling construction vehicles at a time in the morning prior to the permitted work start times; and

BE IT FURTHER RESOLVED that City Council grant a noise waiver permit to the Public Service Department to allow the contractor for the CSO 018 Southwest Project to work Monday through Friday from 8:00 PM to 10:00 PM and Saturdays from 8:00 AM to 8:00 PM, while conducting construction activities on all streets within the CSO 018 Southwest Project Area, roughly bounded by Grand River Avenue, Center Street, Saginaw Street, and Pennsylvania Avenue, and on Sundays from 8:00 AM to 5:00 PM, specifically while conducting construction activities on Larch Street and Cedar Street; and

BE IT FINALLY RESOLVED that this waiver of the noise ordinance will be applicable during the 2008 construction season and on a conditional basis for the 2009 construction season (following the 2008 construction season, the Lansing City Council will at their discretion review the impacts of the noise waiver during the 2008 construction season to determine whether the noise waiver should be rescinded or re-evaluated for the 2009 construction season).

By Councilmember Kaltenbach

Motion Carried (Councilmember Wood voting Nay)

RESOLUTION#528

BY THE COMMITTEE ON PUBLIC SAFETY
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Code Compliance Manager has determined that the building located at **1120 N. Walnut, Parcel # 3301-01-09-329-012** legally described as: **Lot 6 & N 7 Ft Lot 7 Block 1 Sophie S Turners Sub Rec L 4 P 39** is an unsafe or dangerous building as defined in Section 1460.24 of the Lansing Uniform Housing Code and the Housing Law of Michigan and was red tagged on **June 26, 2007**; and

WHEREAS, a hearing was held by the Hearing Officers on **August 23, 2007**, at which the Hearing Officers determined that said building was an unsafe and dangerous building and ordered the building demolished or made safe by **September 27, 2007**; and

WHEREAS, said Hearing Officers filed a report of their findings and order with the City Council and requested the City Council to take appropriate action under the Lansing Housing and Premises Code and the Housing Law of Michigan; and

WHEREAS, the Housing Law of Michigan and Premises Code require a hearing be conducted to give the property owner an opportunity to show cause why a dangerous structure should not be demolished or otherwise made safe; and

WHEREAS, the City Council held a public hearing on **November 12, 2007**, to review the findings and the order of the Hearing Officers and the owners were notified in writing of said hearing and had an opportunity to appear and show cause why said building should not be demolished or otherwise made safe; and

WHEREAS, the Code Compliance Office has determined that compliance with the order of the Lansing Demolition Hearing Board Officer has not occurred; and

NOW, THEREFORE, BE IT RESOLVED that the owner(s) of **1120 N. Walnut** are hereby directed to comply with the order of the Hearing Officers to demolish or otherwise make safe the said building within **30 (thirty) days** from the date of this resolution, **Monday, December 10, 2007**.

BE IT FURTHER RESOLVED that the property owner(s) is hereby notified that this order must be appealed within twenty days pursuant to MCL 125.542 and should the owners fail to comply with the Hearing Officers' order for demolition or make safe, the Manager of Code Compliance is hereby directed to proceed with demolition of said building.

BE IT FURTHER RESOLVED whether demolition is accomplished by said property owner or the city that appropriate seeding and restoration of property take place to avoid run-off to adjacent properties.

BE IT FURTHER RESOLVED that the cost of such demolition shall be a lien against the real property and shall be reported to the City Assessor.

BE IT FINALLY RESOLVED that the owners in whose name the property appears upon the last local tax assessment record shall be notified by the City Assessor of the amount of such cost by first class mail at the address shown on the records. Upon the owners failure to pay the same within thirty (30) days after mailing by the City Assessor of the notice of the amount thereof, the amount of said costs shall be a lien and shall be filed and recovered as provided by law and the lien shall be collected and treated in the same manner as provided for property tax liens under the general property tax act.

By Councilmember Allen

Motion Carried

RESOLUTION#529

BY THE COMMITTEE ON WAYS & MEANS
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

That the following FY 2008 transfers be approved:

Police

Administration

AMOUNT TO TRANSFER	TRANSFER FROM ACCOUNT #	TRANSFER TO ACCOUNT #
\$54,520.00	Administration Donations Revenue 101.0675401.0	
\$54,520.00		Administration Donations 101.343201.741880.0

(To appropriate neighborhood camera systems donations revenue).

Police

Radio Lab

AMOUNT TO TRANSFER	TRANSFER FROM ACCOUNT #	TRANSFER TO ACCOUNT #
\$54,520.00	Administration Donations 101.343201.741880.0	
\$54,520.00		Radio Lab Miscellaneous Operating 101.343222.741000.0

(To provide for expenditure of donated funds for lease of neighborhood camera systems.)

By Councilmember Wood

Motion Carried (Councilmembers Jeffries and Wood voting Nay)

RESOLUTION#530

BY THE COMMITTEE ON WAYS & MEANS
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

That the following FY 2008 transfer be approved:

State/Federal Programs

CARE Power of We Program

AMOUNT TO TRANSFER	TRANSFER FROM ACCOUNT #	TRANSFER TO ACCOUNT #
\$10,705.00	Estimated Federal Revenue 273.0527000.17794	
\$10,705.00		CARE Power of We Miscellaneous Operating 273.343201.741000.17794

(To provide for a one-time federal grant to the CARE program for domestic abuse counseling, administered by the Lansing Police Department. The funds will be used for a planning workshop, software and equipment, and temporary help to transfer Access system records to the new ALICE NR system records.)

By Councilmember Wood

Motion Carried

RETURNED TO COMMITTEE

BY THE COMMITTEE ON WAYS & MEANS
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

That the following FY 2008 transfer be approved:

AMOUNT TO TRANSFER	TRANSFER FROM ACCOUNT #	TRANSFER TO ACCOUNT #
\$224,702.41	CDBG Contingency 252.932651.992000.41000	
\$169,053.05		CDBG Public Imp-Cap Outlay/Const 252.932664.970000.41000
\$55,649.35		CDBG Counseling 252.932674.743059.41000

Reprogram \$224,702.41 of FY 06 CDBG Funds.

\$55,649.35 of Public Service funds were not expended during FY 06. These funds will now be used for neighborhood outreach and communications within the City Attorney's Office.

The remaining \$169,053.05 of FY 06 funds will be used toward acquisition of a neighborhood facility and within the Comstock Park priority area. The structure will be used to house several non-profit organizations and programs including a senior center and Head Start program.

By Councilmember Wood

To return this Resolution to the Committee on Ways and Means

Motion Carried

RESOLUTION#531

BY THE COMMITTEE ON WAYS & MEANS
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

That the following FY 2008 transfer be approved:

State/Federal Programs

Automobile Theft Prevention Authority Project

AMOUNT TO TRANSFER	TRANSFER FROM ACCOUNT #	TRANSFER TO ACCOUNT #
\$67,142.00	Estimated State Revenue 273.0543002.17000	
\$22,380.00	Estimated Local Revenue 273.0527000.17000	
\$45,003.00		ATPA Salaries 273.343240.702000.17000
\$3,311.00		ATPA Overtime 273.343240.703000.17000

\$35,304.00		ATPA Fringe Benefits 273.343240.715000.17000
\$849.00		ATPA Miscellaneous Operating 273.343240.741000.17000
\$4,875.00		ATPA Vehicle Rental 273.343240.745000.17000

(To provide for an annual renewable state grant to the Lansing Police Department for the first nine months of calendar year 2008. The partial year funding conforms the ATPA grant to the state and local government fiscal year period starting October 1. Funding is provided for compensation, office/field operating, and vehicle lease costs for a detective position to prevent auto theft and reduce the impact of auto theft in Lansing.)

By Councilmember Wood

Motion Carried

RESOLUTION#532

BY THE COMMITTEE ON WAYS & MEANS
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

That the following FY 2008 transfer be approved:

State/Federal Programs

VOCA-CARE Grant Project

AMOUNT TO TRANSFER	TRANSFER FROM ACCOUNT #	TRANSFER TO ACCOUNT #
\$130,803.00	Estimated Federal Revenue 273.0.501210.17797	
\$113,296.00		CARE Wages – Temp Help 273.343201.707000.17797
\$9,676.00		CARE Fringe Benefits 273.343201.715000.17797
\$7,831.00		CARE Miscellaneous Operating 273.343201.741000.17797

(To provide for an annual renewable state grant to the Lansing Police Department for the Victims of Crime Act CARE domestic abuse counseling program. Trained volunteer response teams provide counseling and other assistance to victims in the greater Lansing area. Volunteer time is valued as soft match for the federal grant. The grant project will operate from October 1, 2007 to September 30, 2008.)

By Councilmember Wood

Motion Carried

RESOLUTION#533

BY THE COMMITTEE ON WAYS & MEANS
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

That the following FY 2008 transfer be approved:

State/Federal Programs

Fire – Emergency Management

AMOUNT TO TRANSFER	TRANSFER FROM ACCOUNT #	TRANSFER TO ACCOUNT #
\$11,240.00	Estimated Federal Revenue 273.0.528000.17000	
\$11,240.00		Emergency Management CCP Miscellaneous Operating 273.343500.741000.17000

(To provide for a federal grant to the Michigan Citizen Corps Program administered by the Lansing Fire Department. The funds will be used to purchase and distribute specialized equipment for volunteer community emergency response teams.)

By Councilmember Wood

Motion Carried

RESOLUTION#534

BY THE COMMITTEE ON WAYS AND MEANS
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the City of Lansing is named as defendant in a workers' compensation action, WC04001348001: Involving alleged work related injuries/illnesses; and

WHEREAS, it is proposed that the action be resolved by virtue of entering into a settlement agreement, in which, the City of Lansing would agree to pay Plaintiff the sum of Seventy Seven Thousand Five Hundred Dollars (\$77,500.00) in exchange for a complete redemption and release of the City from any past, present, and future liability regarding any alleged injuries/illnesses whatsoever; and

WHEREAS, the proposed settlement is recommended by the Mayor, the Human Resources Department, the City of Lansing's Fund Administrator, and the City Attorney;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, approve the payment of Seventy Seven Thousand Five Hundred Dollars (\$77,500.00) pursuant to said proposed settlement agreement as a full and final settlement of said action;

BE IT FINALLY RESOLVED that the Law Department is authorized to prepare and execute the requisite documents to complete settlement of the aforementioned lawsuit.

By Councilmember Matt

To amend the Resolved clause by correcting the amount to read "\$77,500.00"

Motion Carried

By Councilmember Wood

To place an affirmative roll on the amended resolution

Motion Carried

RESOLUTION#535

BY THE COMMITTEE OF THE WHOLE
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Starr's Black & Tan, founded by Roland Starr in 1971, provided entertainment, employment, and a social gathering place for the residents of Lansing; and

WHEREAS, Starr's Black & Tan, formerly located at 305 River Street in Lansing, Michigan, was in business until April of 1995 (24 years); and

WHEREAS, Roland Starr founded Starr's Black and Tan while being employed as an accountant for the City of Lansing and as an employee of the Ingham County Youth Home; and

WHEREAS, Roland Starr, an Alabama native, came to Lansing via Indiana in 1958; and

WHEREAS, Roland attended Michigan State University (MSU) under the GI Bill as a Veteran of the Korean War; and

WHEREAS, during his education at MSU, Roland Starr was a member of the MSU Black Alumni Association as well as one of the founding members of a group called the Lamp Lighters which preceded the group becoming part of the Omega Psi Phi Fraternity; and

WHEREAS, Roland Starr is a supporter of many local charities, his favorite being the NAACP which he is a lifetime member;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council applauds the goals and accomplishments of Roland Starr and proclaims his significance to the Lansing Community.

By Councilmember Quinney

Motion Carried

RESOLUTION#536

BY THE COMMITTEE OF THE WHOLE
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Mayor made the appointment of Tina Houghton of 6231 Coulson Ct., Lansing, Michigan 48911 to an At Large position of the Parks Board for a term to expire June 30, 2011; and

WHEREAS, the Committee of the Whole met on December 6, 2007, and took affirmative action;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, confirms the appointment of Tina Houghton to an At Large seat of the Parks Board for a term to expire June 30, 2011.

By Councilmember Jeffries

Motion Carried

RESOLUTION#537

BY THE COMMITTEE OF THE WHOLE
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

RESOLUTION TO APPROVE THE APPOINTMENT OF REPRESENTATIVES TO SERVE ON THE MULTI-JURISDICTIONAL MICHIGAN AVENUE CORRIDOR IMPROVEMENT EXPLORATORY COMMITTEE.

WHEREAS, the City of Lansing, in conjunction with the City of East Lansing and Lansing Township, wishes to create an official exploratory committee to consider the creation of the Michigan Avenue Corridor Improvement Authority in accordance with the provisions of the Michigan Corridor Improvement Authority Act, 2005 PA 280, for that area of the Michigan Avenue Corridor bounded by the Pere Marquette Rail Line to the west and Grand River Avenue to the east; and

WHEREAS, the Michigan Avenue Corridor Exploratory Committee shall be a committee of ten individuals representing the municipalities of Lansing, East Lansing, and Lansing Township, along with a representative from the County of Ingham; and

WHEREAS, at least one nominated individual must live within one half mile of the centerline of Michigan Avenue or own a business located within the boundaries of the Michigan Avenue Corridor Improvement Authority; and

WHEREAS, the Exploratory Committee is created for the purpose of considering the establishment of a corridor improvement authority by each municipality, to study and recommend the proposed development areas which may be included in such an authority, to suggest a proposed resolution of intent to establish the authority, and to consider and recommend the terms of an interlocal agreement which may be entered into by each participating municipality to jointly operate and administer their respective corridor improvement authorities under an interlocal agreement under the Urban Cooperation Act pursuant to section 6(5) of 2005 PA 280; and

WHEREAS, Mayor Virg Bernero has appointed three individuals to serve as the City of Lansing representatives on the Exploratory Committee;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council hereby confirms the Mayor's appointment of Joan Finken, Faron Supanich-Goldner and Harold Leeman to the Michigan Avenue Corridor Improvement Exploratory Committee for a term to expire one year from the date of passage of this resolution.

By Councilmember Wood

To recuse Councilmember Leeman for possible conflict of Interest

Motion Failed

By Councilmember Jeffries

To place an affirmative role on the resolution

Motion Carried (Councilmember Wood voting Nay)

RESOLUTION#538

BY THE COMMITTEE OF THE WHOLE
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

Act-6-2007, 201 S. Grand Avenue, Sale of S. Grand Parking Ramp

WHEREAS, Grand Avenue Parking LLC (Developer) has entered into negotiations with the City for an option to purchase the City parking ramp at 201 S. Grand Avenue, commonly known as the South Grand Ramp; and

WHEREAS, the proposed option, entitled "Agreement to Sell between the City of Lansing and Grand Avenue Parking LLC Regarding the Sale of the South Grand Avenue Parking Ramp Located in the One Hundred and Two Hundred Block of South Grand Avenue" was placed on file with the City Clerk on October 23, 2007, and a public hearing was held November 26, 2007 on the proposal; and

WHEREAS, the Planning Board held a duly noticed public hearing regarding this case, along with Act-7-07, at its meeting on July 17, 2007, at which no public comments were received; and

WHEREAS, on July 17 2007, the Planning Board reviewed the request through its Act 285 procedures, and found, based on testimony and evidence that:

1. Development of a mixed use building in the 200 block of S. Grand Avenue would be consistent with the economic revitalization strategies being advanced in the Central Lansing Comprehensive Plan and the Grand Vision study,

2. City ownership of the parking ramp and adjacent Lot 18 is not required to provide the necessary parking - the parking spaces in the ramp and surface lot could be redistributed throughout the overall parking system; both public and private,
3. The City's interest in providing for public access to the riverfront can be addressed by retaining an easement for public access along the west bank of the Grand River,

The Historic District Commission has determined that the City Club building does not need to be saved but certain architectural elements should be preserved and reused at this or another location; and

WHEREAS, on July 17, 2007, the Planning Board unanimously (3-0) recommended approval of Act-6-2007, to market for or negotiate the sale of the property at 201 S. Grand Avenue, with the following conditions:

1. a 25 foot wide easement be retained along the entire frontage of the Grand River at 201 S. Grand Avenue for public access,
2. the ramp be given a facelift by the new owner,
3. upon redevelopment of the parking ramp, the first floor be developed into commercial uses and the facade improved to minimize the appearance of a parking ramp,
4. the City enter into a development agreement with the future buyer that contains a reverter clause, should the necessary permits for the new building not be obtained and construction commenced within two years of approval of this request;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council hereby approves ACT-6-2007, the sale of the South Grand Parking Ramp, pursuant to the terms and conditions of "Agreement to Sell between the City of Lansing and Grand Avenue Parking LLC Regarding the Sale of the South Grand Avenue Parking Ramp Located in the One Hundred and Two Hundred Block of South Grand Avenue," which is legally described as:

Part of Lots 3 & 4, Block 112, also part of Lots 1, 2 & 3, Block 113, and part of vacated Allegan Street lying between Block 112 & 113, Original Plat, City of Lansing, Ingham County, Michigan, described as: Commencing at the Northwest corner of Lot 3, Block 113; thence N00°00'00"E, 302.50 feet along the East line of Grand Avenue; thence S89°54'07"E, 109.04 feet along the North line of the South 22 feet of Lot 3, Block 112; thence S01°54'07"E, 7.57 feet and S89°58'23"E, 6.09 feet along an existing concrete wall and the water's edge of the Grand River to the point of beginning of the following described parcel; thence continuing S89°58'23"E, 28.48 feet; thence S00°04'55"W, 239.83 feet along the East edge of an existing elevated concrete sidewalk and retaining wall; thence S37°28'21"E, 7.04 feet and S22°54'33"E, 57.66 feet along the water's edge of the Grand River; thence N89°54'07"W, 55.32 feet along the South line of the North 4 feet of Lot 3, Block 113; thence N00°05'15"E, 54.71 feet along an existing concrete wall; thence continuing N00°05'15"E, 243.73 feet along an existing concrete wall and the water's edge of the Grand River to the point of beginning. Contains 0.21 acres, more or less.

AND ALSO:

Part of Lots 3 & 4, Block 112, also part of Lots 1, 2 & 3 Block 113, and part of vacated Allegan Street lying between Blocks 112 & 113, Original Plat, City

of Lansing, Ingham County, Michigan, described as: Beginning at the Northwest corner of Lot 3, Block 113; thence N00°00'00"E, 302.50 feet along the East line of Grand Avenue; thence S89°54'07"E, 109.04 feet along the North line of the South 22 feet of Lot 3, Block 112; thence S01°54'07"E, 7.57 feet, S89°58'23"E, 6.09 feet and S00°05'15"W, 243.73 feet along an existing concrete wall and the water's edge of the Grand River; thence continuing S00°05'15"W, 54.71 feet along said concrete wall; thence N89°54'07"W, 18.42 feet along the South line of the North 4 feet of Lot 3, Block 113; thence N02°51'46"W, 13.52 feet; thence N89°54'07"W, 65.07 feet; thence S00°05'53"W, 10.0 feet; thence N89°54'07"W, 30.73 feet to the point of beginning. Contains 0.79 acres, more or less.

BE IT FINALLY RESOLVED, that the Mayor, on behalf of the City, is authorized to sign and execute all necessary documents to effectuate this transaction, subject to their prior approval as to form by the City Attorney.

By Councilmember Jeffries

Motion Carried

RESOLUTION#539

BY THE COMMITTEE OF THE WHOLE
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

Act-7-2007, 200 Block, S. Grand Avenue, Sale of City Parking Lot 18

WHEREAS, Grand River Tower LLC (Developer) has entered into negotiations with the City for an option to purchase the City surface parking lot in the 200-300 block of South Grand Avenue, commonly known as Lot 18; and

WHEREAS, the proposed option, entitled "Agreement to Sell between the City of Lansing and Grand River Tower LLC Regarding the Surface Parking Lot Commonly Referred to as Lot 18 Located in the One Hundred and Two Hundred Block of South Grand Avenue" was placed on file with the City Clerk on October 19, 2007, and a public hearing was held November 26, 2007 on the proposal; and

WHEREAS, on July 17, 2007, the Planning Board reviewed the request through its Act 285 procedures, and found, based on testimony and evidence that:

1. Development of a mixed use building in the 200 block of S. Grand Avenue would be consistent with the economic revitalization strategies being advanced in the Central Lansing Comprehensive Plan and the Grand Vision study,
2. City ownership of Parking Lot 18 and the adjacent ramp is not required to provide the necessary parking - the parking spaces in the ramp and surface lot will be redistributed throughout the overall parking system; both public and private,
3. The Historic District Commission has determined that the City Club building does not need to be saved but certain architectural elements should be preserved and reused at this or another location; and

WHEREAS, on July 17, 2007, the Planning Board unanimously (3-0) recommended approval of Act-7-2007, to market for or negotiate the sale of the city owned Parking Lot 18 property in the 200 Block of S. Grand Avenue, with the following conditions:

1. a strip of land, 25 feet wide, be retained in ownership by the city along the entire frontage of the Grand River for the Parking Lot 18 property located south of 201 S. Grand Avenue,
2. the City enter into a development agreement with the future buyer that contains a reverter clause, should the necessary permits for the new building not be obtained and construction commenced within two years of approval of this request;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City

Council hereby approves ACT-7-2007, the sale of Lot 18, pursuant to the terms and conditions of "Agreement to Sell between the City of Lansing and Grand River Tower LLC Regarding the Surface Parking Lot Commonly Referred to as Lot 18 Located in the One Hundred and Two Hundred Block of South Grand Avenue," which is legally described as:

Part of Lots 3, 4 & 5, Block 113, Original Plat, City of Lansing, Ingham County, Michigan described as: Commencing at the Northwest corner of Lot 3, Block 113; thence S89°54'07"E, 30.73 feet along the North line of Lot 3; thence N00°05'53"E, 10.00 feet; thence S89°54'07"E, 65.07 feet; thence S02°51'46"E, 13.52 feet to the point of beginning of the following described parcel; thence continuing S89°54'07"E, 46.58 feet along the South line of the North 4 feet of Lot 3, Block 113; thence S02°10'40"E, 140.03 feet; thence N89°54'29"W, 57.39 feet; thence N00°00'00"E, 74.25 feet along a line 91.0 feet East of and parallel with the East line of Grand Avenue; thence S89°54'07"E, 8.77 feet along a line 3.75 feet South of and parallel with the North line of Lot 4, Block 113; thence N02°51'46"W, 79.29 feet to the point of beginning. Contains 0.17 acres, more or less;

except that this approval is conditioned upon the Developer's agreement to amend Section 401 of Article IV of the agreement to provide that the \$22.5 million dollars of investment will be limited to the acquisition and development of the Tower Site.

BE IT FINALLY RESOLVED, that the Mayor, on behalf of the City, is authorized to sign and execute all necessary documents to effectuate this transaction, subject to their prior approval as to form by the City Attorney.

By Councilmember Jeffries

Motion Carried

RESOLUTION#540

BY THE COMMITTEE OF THE WHOLE
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Mayor made the appointment of Charles Mickens of 2210 Lyman Drive, Lansing, Michigan 48912-3416 to an At Large position of the Lansing Entertainment and Public Facilities Authority for a term to expire June 30, 2009; and

WHEREAS, the Committee of the Whole met on December 6, 2007, and took affirmative action;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, confirms the appointment of Charles Mickens to an At Large seat of the Lansing Entertainment and Public Facilities Authority for a term to expire June 30, 2009.

By Councilmember Jeffries

Motion Carried

RESOLUTION#541

BY THE COMMITTEE OF THE WHOLE
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Committee of the Whole met on December 6, 2007, and considered holding an extra Council meeting; and

WHEREAS, the Committee of the Whole took affirmative action;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council sets a City Council Meeting for Monday, December 17, 2007, at 7:00 p.m. on the tenth floor of City Hall in the City Council Chambers.

By Councilmember Jeffries

Motion Carried

RESOLUTION#542

BY THE COMMITTEE OF THE WHOLE
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

That the following FY 2008 transfer be approved:

Internal Audit

AMOUNT TO TRANSFER	TRANSFER FROM ACCOUNT #	TRANSFER TO ACCOUNT #
\$1,000	Miscellaneous Operating 101.112120 741000.0	
\$1,000		Equipment <\$5,000 101.112120 977101.0

(To provide for laptop computer and docking station).

By Councilmember Jeffries

Motion Carried

President Leeman allowed the following speakers time to speak since they were in a meeting regarding Northrup St. project during the time of public comment.

John Brady of 614 W. Northrup St. spoke in opposition to the curb and gutter work for Northrup St. He said that all they want is the repaving of the street.

Ted Boettcher of 320 W. Northrup St. spoke in opposition to the proposed project for Northrup St.

REPORTS FROM COUNCIL COMMITTEES

RESOLUTION#543

REPORT OF COMMITTEE

THE COMMITTEE ON met on Wednesday, December 5, 2007 to review an ordinance to amend Chapter 1240, Sections 1240.04, of the Lansing Codified Ordinances to permit a land owner to offer specific land use conditions as a condition of rezoning pursuant to the Michigan Zoning Enabling Act, MCL 125.3405.

The Committee recommended passage of an ordinance amendment to Chapter 1240, Sections 1240.04, of the Lansing Codified Ordinances to permit a land owner to offer specific land use conditions as a condition of rezoning pursuant to the Michigan Zoning Enabling Act, MCL 125.3405.

December 5, 2007

Signed: Brian Jeffries, Chairperson
Sandy Allen, Vice Chairperson
Kathie Dunbar, Member

By Councilmember Jeffries

To receive this Committee Report

Motion Carried

TABLED

REPORT OF COMMITTEE

THE COMMITTEE ON DEVELOPMENT AND PLANNING was held on November 21, 2007 and reviewed the Ordinance amendment to Chapter 1246, Section 1246.02 of the Code of Ordinances to allow for rezoning a parcel of real property located at 600 S. Capitol from "D-1" Professional Office District to "F-1" Commercial Office District, property located at 600 S. Capitol.

The Committee recommends approval of the Ordinance amendment to Chapter 1246, Section 1246.02 of the Code of Ordinances to allow for rezoning a parcel of real property located at 600 S. Capitol from "D-1" Professional Office District to "F-1" Commercial Office District, property located at 600 S. Capitol.

Signed: Brian Jeffries, Chairperson
Sandy Allen, Vice Chairperson
Kathie Dunbar, Member

By Councilmember Jeffries

To Table this Committee Report

Motion Carried

ORDINANCES FOR INTRODUCTION

INTRODUCTION OF ORDINANCES

The following ordinance of the City of Lansing, Michigan, providing that the Code of Ordinances be amended by providing for the rezoning of property located in the City of Lansing, Michigan, and for the revision of the district maps adopted by Section 1246.02 of the Code for property located at:

Z-12-2007, 500 Block of E. Kalamazoo Street & 200 Block of S. Cedar Street, from "H" Light Industrial District to "G-1" Business District

was introduced by the Committee on Development & Planning, read a first and second time by its title and referred to the Committee on Development and Planning.

RESOLUTION#544

BY THE COMMITTEE ON DEVELOPMENT & PLANNING
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

Resolved by the City Council of the City of Lansing that a public hearing be set for Monday, January 7, 2008, at 7 p.m. in City Council Chambers, Tenth Floor, Lansing City Hall, 124 West Michigan Avenue, Lansing, Michigan, for the purpose of approving and/or opposing the Ordinance for rezoning:

Z-12-2007, 500 Block of E. Kalamazoo Street & 200 Block of S. Cedar Street, from "H" Light Industrial District to "G-1" Business District

By Councilmember Jeffries

Motion Carried

INTRODUCTION OF ORDINANCES

The following ordinance of the City of Lansing, Michigan, providing that the Code of Ordinances be amended by providing for the rezoning of property located in the City of Lansing, Michigan, and for the revision of the district maps adopted by Section 1246.02 of the Code for property located at:

Z-9-2007, 1242 Allen Street & Vacant Lot to its South, from "B" Residential District to "C" Residential District

was introduced by the Committee on Development & Planning, read a first and second time by its title and referred to the Committee on Development and Planning.

RESOLUTION#545

BY THE COMMITTEE ON DEVELOPMENT & PLANNING
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

Resolved by the City Council of the City of Lansing that a public hearing be set for Monday, January 14, 2008, at 7 p.m. in City Council Chambers, Tenth Floor, Lansing City Hall, 124 West Michigan Avenue, Lansing, Michigan, for the purpose of approving and/or opposing the Ordinance for rezoning:

Z-9-2007, 1242 Allen Street & Vacant Lot to its South, from "B" Residential District to "C" Residential District

By Councilmember Jeffries

Motion Carried

INTRODUCTION OF ORDINANCES

The following ordinance of the City of Lansing, Michigan, providing that the Code of Ordinances be amended by providing for the rezoning of property located in the City of Lansing, Michigan, and for the revision of the district maps adopted by Section 1246.02 of the Code for property located at:

Z-8-2007, 5920 S. ML King, from "A" Residential District to "E-2" Local Shopping District

was introduced by the Committee on Development & Planning, read a first and second time by its title and referred to the Committee on Development and Planning.

RESOLUTION#546

BY THE COMMITTEE ON DEVELOPMENT & PLANNING
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

Resolved by the City Council of the City of Lansing that a public hearing be set for Monday, January 14, 2008, at 7 p.m. in City Council Chambers, Tenth Floor, Lansing City Hall, 124 West Michigan Avenue, Lansing, Michigan, for the purpose of approving and/or opposing the Ordinance for rezoning:

Z-8-2007, 5920 S. ML King, from "A" Residential District to "E-2" Local Shopping District

By Councilmember Jeffries

Motion Carried

INTRODUCTION OF ORDINANCES

The following ordinance of the City of Lansing, Michigan, providing that the Code of Ordinances be amended by providing for the rezoning of property located in the City of Lansing, Michigan, and for the revision of the district maps adopted by Section 1246.02 of the Code for property located at:

Z-10-2007, 1342 N. Walnut Street, from "B" Residential District to "C" Residential District

was introduced by the Committee on Development & Planning, read a first and second time by its title and referred to the Committee on Development and Planning.

RESOLUTION#547

BY THE COMMITTEE ON DEVELOPMENT & PLANNING
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

Resolved by the City Council of the City of Lansing that a public hearing be set for Monday, January 14, 2008, at 7 p.m. in City Council Chambers, Tenth Floor, Lansing City Hall, 124 West Michigan Avenue, Lansing, Michigan, for the purpose of approving and/or opposing the Ordinance for rezoning:

Z-10-2007, 1342 N. Walnut Street, from "B" Residential District to "C" Residential District

By Councilmember Jeffries

Motion Carried

INTRODUCTION OF ORDINANCES

The following ordinance of the City of Lansing, Michigan, providing that the Code of Ordinances be amended by providing for the rezoning of property located in the City of Lansing, Michigan, and for the revision of the district maps adopted by Section 1246.02 of the Code for property located at:

Z-11-2007, 1441 Lyons Avenue & 809 Baker Street, from "F" Commercial District to "A" Residential District

was introduced by the Committee on Development & Planning, read a first and second time by its title and referred to the Committee on Development and Planning.

RESOLUTION#548

BY THE COMMITTEE ON DEVELOPMENT & PLANNING
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

Resolved by the City Council of the City of Lansing that a public hearing be set for Monday, January 7, 2008, at 7 p.m. in City Council Chambers, Tenth Floor, Lansing City Hall, 124 West Michigan Avenue, Lansing, Michigan, for the purpose of approving and/or opposing the Ordinance for rezoning:

Z-11-2007, 1441 Lyons Avenue & 809 Baker Street, from "F" Commercial District to "A" Residential District

By Councilmember Jeffries

Motion Carried

ORDINANCES FOR PASSAGE

By Councilmember Jeffries

That we move to the passage of Ordinances

By Councilmember Jeffries

That the Ordinance when read by its title be considered as read in its entirety.

BY THE COMMITTEE ON DEVELOPMENT AND PLANNING

By Councilmember Jeffries

That:

An Ordinance of the City of Lansing to Amend Chapter 1240, Section 1240.04 of the Lansing Codified Ordinances to permit a land owner to offer specific land use conditions as a condition of rezoning pursuant to the Michigan Zoning Enabling Act, MCL § 125.3405

be placed on order of immediate passage.

BY THE COMMITTEE ON DEVELOPMENT AND PLANNING

By Councilmember Jeffries

That:

An Ordinance of the City of Lansing to Amend Chapter 1240, Section 1240.04 of the Lansing Codified Ordinances to permit a land owner to offer specific land use conditions as a condition of rezoning pursuant to the Michigan Zoning Enabling Act, MCL § 125.3405

be now passed.

By Councilmember Jeffries

To accept a substitute Ordinance for the one originally placed in the packet

Motion Carried

By Councilmember Jeffries

To place an affirmative roll on the substitute Ordinance

YEAS: Councilmembers Allen, Dunbar Jeffries, Kaltenbach, Leeman, Matt, Quinney and Wood

NAYS: None

ABSENT: None

By Councilmember Jeffries

THAT THIS ORDINANCE, BEING NECESSARY FOR THE IMMEDIATE PRESERVATION OF THE PUBLIC, PEACE, HEALTH OR SAFETY SHALL TAKE EFFECT UPON ITS PASSAGE

Motion Carried

ORDINANCE #1128

AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, TO AMEND CHAPTER 1240, SECTIONS 1240.04, OF THE LANSING CODIFIED ORDINANCES TO PERMIT A LAND OWNER TO OFFER SPECIFIC LAND USE CONDITIONS AS A CONDITION OF REZONING PURSUANT TO THE MICHIGAN ZONING ENABLING ACT, MCL § 125.3405.

THE CITY OF LANSING ORDAINS:

Section 1. That Chapter 1240, Section 1240.04, of the Codified Ordinances of the City of Lansing, Michigan, be and is hereby amended to read as follows:

(a) An application to amend, supplement or change the regulations and boundaries of zoning districts may be made by any of the following persons:

(1) A person having a legal or equitable interest in the property;

(2) The authorized representative of a person having a legal or equitable interest in the property; or

- (3) Council.
- (b) The application described in subsection (a) hereof shall be made on forms provided by the Planning Division and shall be filed with the City Clerk and accompanied by the fees required by Council.
- (c) Within one day after receipt of the application, the City Clerk shall refer the application to the Planning Board. Simultaneously, the City Clerk shall place the application on the agenda for the next Council meeting.
- (d) After the City Clerk refers the application to the Board, the Board shall hold not less than one public hearing before submitting a final report to Council and shall provide notice of the public hearing as described in subsection (e) hereof.
- (e) Not less than 15 days notice of the time and place of the public hearing described in this subsection shall first be published in an official paper or a paper of general circulation in the City. In addition, not less than 15 days notice of the time and place of the public hearing shall be given by mail to each public utility company and to each railroad company owning or operating any public utility or railroad within the districts or zones affected, if the public utility company or railroad registers its name and mailing address with the City Clerk for the purpose of receiving the notice. An affidavit of mailing shall be maintained by the Planning Division. In addition, the Planning Division shall provide not less than 15 days notice of a public hearing on a proposed amendment to a zoning district boundary to the owner of the property in question, as represented on the tax records held in the office of the City Assessor. A hearing shall be granted an interested person at the time and place specified on the notice.

(F) CONDITIONAL REZONING

(1) INTENT.

IT IS RECOGNIZED THAT THERE ARE CERTAIN INSTANCES WHEN IT WOULD BE IN THE BEST INTERESTS OF THE CITY, AS WELL AS ADVANTAGEOUS TO LAND OWNERS SEEKING A CHANGE IN ZONING BOUNDARIES, IF SPECIFIC CONDITIONS WERE TO BE PROPOSED BY THE LAND OWNER AS PART OF A REQUEST FOR A REZONING. IT IS THE INTENT OF THIS SECTION TO PROVIDE A PROCESS CONSISTENT WITH MCL § 125.3405 BY WHICH A LANDOWNER SEEKING A REZONING MAY VOLUNTARILY PROPOSE CONDITIONS REGARDING THE USE AND/OR DEVELOPMENT OF LAND AS PART OF THE REZONING REQUEST.

(2) APPLICATION AND OFFER OF CONDITIONS.

- (a) A LAND OWNER OR A LANDOWNER'S AGENT MAY VOLUNTARILY OFFER IN WRITING CONDITIONS RELATING TO THE USE AND/OR DEVELOPMENT OF LAND FOR WHICH A REZONING IS REQUESTED. THIS OFFER MAY BE MADE EITHER AT THE TIME THE APPLICATION FOR REZONING IS FILED OR AT A LATER TIME DURING THE REZONING PROCESS.
- (b) THE REQUIRED APPLICATION AND PROCESS FOR CONSIDERING A REZONING REQUEST WITH CONDITIONS SHALL BE THE SAME

AS THAT FOR CONSIDERING REZONING REQUESTS MADE WITHOUT ANY OFFER OF CONDITIONS, EXCEPT AS MODIFIED BY THE REQUIREMENTS OF THIS SECTION.

- (c) THE LAND OWNER'S OFFER OF CONDITIONS MAY NOT PURPORT TO AUTHORIZE USES OR DEVELOPMENTS NOT PERMITTED IN THE REQUESTED NEW ZONING DISTRICT.

- (d) ANY USE OR DEVELOPMENT PROPOSED AS PART OF AN OFFER OF CONDITIONS THAT WOULD REQUIRE A SPECIAL LAND USE PERMIT UNDER THE TERMS OF THIS ORDINANCE MAY ONLY BE COMMENCED IF A SPECIAL LAND USE PERMIT FOR SUCH USE OR DEVELOPMENT IS ULTIMATELY GRANTED IN ACCORDANCE WITH THE PROVISIONS OF THIS ORDINANCE.

- (e) ANY USE OR DEVELOPMENT PROPOSED AS PART OF AN OFFER OF CONDITIONS THAT WOULD REQUIRE A VARIANCE UNDER THE TERMS OF THIS ORDINANCE MAY ONLY BE COMMENCED IF A VARIANCE FOR SUCH USE OR DEVELOPMENT IS ULTIMATELY GRANTED BY THE ZONING BOARD OF APPEALS IN ACCORDANCE WITH THE PROVISIONS OF THIS ORDINANCE.

- (f) ANY USE OR DEVELOPMENT PROPOSED AS PART OF AN OFFER OF CONDITIONS THAT WOULD REQUIRE SITE PLAN APPROVAL UNDER THE TERMS OF THIS ORDINANCE MAY ONLY BE COMMENCED IF SITE PLAN APPROVAL FOR SUCH USE OR DEVELOPMENT IS ULTIMATELY GRANTED IN ACCORDANCE WITH THE PROVISIONS OF THIS ORDINANCE.

- (g) THE OFFER OF CONDITIONS MAY BE AMENDED DURING THE PROCESS OF REZONING CONSIDERATION PROVIDED THAT ANY AMENDED OR ADDITIONAL CONDITIONS ARE OFFERED VOLUNTARILY BY THE OWNER. AN OWNER MAY WITHDRAW ALL OR PART OF ITS OFFER OF CONDITIONS ANY TIME PRIOR TO FINAL REZONING ACTION OF THE CITY COUNCIL PROVIDED THAT, IF SUCH WITHDRAWAL OCCURS SUBSEQUENT TO THE PLANNING BOARD'S PUBLIC HEARING ON

THE ORIGINAL REZONING REQUEST, THEN THE REZONING APPLICATION SHALL BE REFERRED TO THE PLANNING BOARD FOR A NEW PUBLIC HEARING WITH APPROPRIATE NOTICE AND A NEW RECOMMENDATION.

(3) PLANNING BOARD REVIEW.

THE PLANNING BOARD, AFTER PUBLIC HEARING AND CONSIDERATION OF THE FACTORS FOR REZONING SET FORTH IN THIS ORDINANCE, MAY RECOMMEND APPROVAL, APPROVAL WITH RECOMMENDED CHANGES OR DENIAL OF THE REZONING; PROVIDED, HOWEVER, THAT ANY RECOMMENDED CHANGES TO THE OFFER OF CONDITIONS ARE ACCEPTABLE TO AND THEREAFTER OFFERED BY THE LAND OWNER.

(4) CITY COUNCIL REVIEW.

AFTER RECEIPT OF THE PLANNING BOARD'S RECOMMENDATION, THE CITY COUNCIL SHALL DELIBERATE UPON THE REQUESTED REZONING AND MAY APPROVE OR DENY THE CONDITIONAL REZONING REQUEST. THE CITY COUNCIL'S DELIBERATIONS SHALL INCLUDE, BUT NOT BE LIMITED TO A CONSIDERATION OF THE FACTORS FOR REZONING SET FORTH IN THIS ORDINANCE.

(5) APPROVAL.

(a) IF CITY COUNCIL FINDS THE REZONING REQUEST AND OFFER OF CONDITIONS ACCEPTABLE, THE OFFERED CONDITIONS SHALL BE INCORPORATED INTO A FORMAL WRITTEN STATEMENT OF CONDITIONS ACCEPTABLE TO THE LAND OWNER AND CONFORMING IN FORM TO THE PROVISIONS OF THIS ORDINANCE. THE STATEMENT OF CONDITIONS SHALL BE INCORPORATED BY ATTACHMENT OR OTHERWISE AS AN INSEPARABLE PART OF THE ORDINANCE ADOPTED BY CITY COUNCIL TO ACCOMPLISH THE REQUESTED REZONING.

(b) THE STATEMENT OF CONDITIONS

(1) CONTAIN A LEGAL DESCRIPTION OF THE LAND TO WHICH IT PERTAINS.

(2) CONTAIN A STATEMENT ACKNOWLEDGING THAT THE STATEMENT OF CONDITIONS RUNS WITH THE LAND AND IS BINDING UPON SUCCESSOR OWNERS OF THE LAND.

(3) INCORPORATE BY ATTACHMENT OR REFERENCE ANY

DIAGRAM, PLANS OR OTHER DOCUMENTS SUBMITTED OR APPROVED BY THE LAND OWNER THAT ARE NECESSARY TO ILLUSTRATE THE IMPLEMENTATION OF THE STATEMENT OF CONDITIONS. IF ANY SUCH DOCUMENTS ARE INCORPORATED BY REFERENCE, THE REFERENCE SHALL SPECIFY WHERE THE DOCUMENT MAY BE EXAMINED.

(4) CONTAIN THE NOTARIZED SIGNATURES OF ALL OF THE LAND OWNERS OF THE SUBJECT LAND PRECEDED BY A STATEMENT ATTESTING TO THE FACT THAT THEY VOLUNTARILY OFFER AND CONSENT TO THE PROVISIONS CONTAINED WITHIN THE STATEMENT OF CONDITIONS.

(c) UPON THE REZONING TAKING EFFECT, THE ZONING MAP SHALL BE AMENDED TO REFLECT THE NEW ZONING CLASSIFICATION ALONG WITH A DESIGNATION THAT THE LAND WAS REZONED WITH A STATEMENT OF CONDITIONS. THE CITY CLERK SHALL MAINTAIN A LISTING OF ALL LANDS REZONED WITH A STATEMENT OF CONDITIONS.

(d) THE CITY COUNCIL SHALL HAVE AUTHORITY TO REQUIRE THAT THE STATEMENT OF CONDITIONS BE RECORDED WITH THE REGISTER OF DEEDS IF IT DETERMINES THAT, GIVEN THE NATURE OF THE CONDITIONS, THE RECORDING OF SUCH A DOCUMENT WOULD BE OF MATERIAL BENEFIT TO THE CITY OR TO ANY SUBSEQUENT OWNER OF THE LAND.

(e) UPON THE REZONING TAKING EFFECT, THE USE OF THE LAND SO REZONED SHALL CONFORM THEREAFTER TO ALL OF THE REQUIREMENTS REGULATING ITS USE AND DEVELOPMENT AS CONTAINED IN THE STATEMENT OF CONDITIONS.

(6) COMPLIANCE WITH CONDITIONS.

(a) ANY PERSON WHO ESTABLISHES A DEVELOPMENT OR

SHALL:

COMMENCES A USE UPON LAND THAT HAS BEEN REZONED WITH CONDITIONS SHALL CONTINUOUSLY OPERATE AND MAINTAIN THE DEVELOPMENT OR USE IN COMPLIANCE WITH ALL OF THE CONDITIONS SET FORTH IN THE STATEMENT OF CONDITIONS. ANY FAILURE TO COMPLY WITH A CONDITION CONTAINED WITHIN THE STATEMENT OF CONDITIONS SHALL CONSTITUTE A VIOLATION OF THIS ZONING ORDINANCE AND BE PUNISHABLE ACCORDINGLY. ADDITIONALLY, ANY SUCH VIOLATION SHALL BE DEEMED A NUISANCE PER SE AND SUBJECT TO JUDICIAL ABATEMENT AS PROVIDED BY LAW.

- (b) NO PERMIT OR APPROVAL SHALL BE GRANTED UNDER THIS ORDINANCE FOR ANY USE OR DEVELOPMENT THAT IS CONTRARY TO A STATEMENT OF CONDITIONS.

(7) TIME PERIOD FOR ESTABLISHING DEVELOPMENT OR USE.

UNLESS ANOTHER TIME PERIOD IS SPECIFIED IN THE ORDINANCE REZONING THE SUBJECT LAND, THE APPROVED DEVELOPMENT AND/OR USE OF THE LAND PURSUANT TO BUILDING AND OTHER REQUIRED PERMITS MUST BE COMMENCED UPON THE LAND WITHIN 18 MONTHS (OR SHORTER IF SPECIFIED) AFTER THE REZONING TAKES EFFECT AND THEREAFTER PROCEED DILIGENTLY TO COMPLETION. THIS TIME LIMITATION MAY, UPON WRITTEN REQUEST, BE EXTENDED BY THE CITY COUNCIL IF: (1) IT IS DEMONSTRATED TO THE CITY COUNCIL'S SATISFACTION THAT THERE IS A STRONG LIKELIHOOD THAT THE DEVELOPMENT AND/OR USE WILL COMMENCE WITHIN THE PERIOD OF EXTENSION AND PROCEED DILIGENTLY THEREAFTER TO COMPLETION AND (2) THE CITY COUNCIL FINDS THAT THERE HAS NOT BEEN A CHANGE IN CIRCUMSTANCES THAT WOULD RENDER THE ZONING WITH STATEMENT OF CONDITIONS INCOMPATIBLE WITH OTHER ZONES AND USES IN THE SURROUNDING AREA OR OTHERWISE RENDERS IT INCONSISTENT WITH ZONING POLICY.

(8) REVERSION OF ZONING.

IF APPROVED DEVELOPMENT AND/OR USE OF THE REZONED LAND DOES NOT OCCUR WITHIN THE TIME FRAME SPECIFIED UNDER SUBSECTION 7 ABOVE, THEN THE LAND SHALL REVERT TO ITS FORMER ZONING CLASSIFICATION AS SET FORTH IN MCL § 125.3405.

(9) SUBSEQUENT REZONING OF LAND.

WHEN LAND THAT IS REZONED WITH A STATEMENT OF CONDITIONS IS THEREAFTER REZONED TO A DIFFERENT ZONING

CLASSIFICATION OR TO THE SAME ZONING CLASSIFICATION BUT WITH A DIFFERENT OR NO STATEMENT OF CONDITIONS, WHETHER AS A RESULT OF A REVERSION OF ZONING OR OTHERWISE, THE STATEMENT OF CONDITIONS IMPOSED UNDER THE FORMER ZONING CLASSIFICATION SHALL CEASE TO BE IN EFFECT. UPON THE LAND OWNER'S WRITTEN REQUEST, THE CITY CLERK SHALL RECORD WITH THE REGISTER OF DEEDS A NOTICE THAT THE STATEMENT OF CONDITIONS IS NO LONGER IN EFFECT.

(10) AMENDMENT OF CONDITIONS WHEN EXTENSION REQUESTED.

IF A CONDITIONAL ZONING HAS BEEN APPROVED AND THE APPLICANT REQUESTS AN EXTENSION OF TIME FOR COMMENCEMENT OF THE DEVELOPMENT, THE CITY COUNCIL MAY ADD TO, DELETE OR MODIFY THE CONDITIONS IN THE PREVIOUSLY APPROVED STATEMENT OF CONDITIONS AS PART OF ITS DECISION TO GRANT THE REQUESTED EXTENSION SO LONG AS THE CHANGES ARE PROPOSED BY THE DEVELOPER.

(11) CITY'S RIGHT TO REZONE.

NOTHING IN THE STATEMENT OF CONDITIONS NOR IN THE PROVISIONS OF THIS SECTION SHALL BE DEEMED TO PROHIBIT THE CITY FROM REZONING ALL OR ANY PORTION OF LAND THAT IS SUBJECT TO A STATEMENT OF CONDITIONS TO ANOTHER ZONING CLASSIFICATION. ANY REZONING SHALL BE CONDUCTED IN COMPLIANCE WITH CITY ORDINANCES AND CITY CHARTER.

(12) FAILURE TO OFFER CONDITIONS.

THE CITY SHALL NOT REQUIRE A LAND OWNER TO OFFER CONDITIONS AS A REQUIREMENT FOR REZONING. THE LACK OF AN OFFER OF CONDITIONS SHALL NOT AFFECT A LAND OWNER'S RIGHTS UNDER THIS ORDINANCE.

(f G) After the public hearing described in subsection (d) hereof, the Board shall make its final report to Council. A summary of the comments submitted at the public hearing shall be transmitted with the report of the Board to Council. Council shall hold at least one public hearing and shall provide notice of a public hearing as described in subsection (e) hereof.

(g H) Council shall not determine the boundaries of districts nor impose regulations until after the final report of the Board, nor shall this Zoning Code or the maps be amended after they are adopted in the first instance until the proposed amendment has been submitted to the Board and it has held at least one hearing and made a report. In either case, Council may adopt the ordinance and maps, with or without amendments, after receipt of the Board's report, or refer this Zoning Code and maps again to the Board for a further report.

(h I) Upon presentation of a protest petition meeting the requirements of this subsection, an amendment to this

Zoning Code which is the object of the petition shall be passed only by a two-thirds vote of Council. The protest petition shall be presented to Council before final legislative action on the amendment, and shall be signed by one of the following:

- (1) The owners of at least 20 percent of the area of land included in the proposed change; or
- (2) The owners of at least 20 percent of the area of land included within an area extending outward 100 feet from any point on the boundary of the land included in the proposed change.

(j) For purposes of subsection (h) hereof, publicly owned land shall be excluded in calculating the 20 percent land area requirement.

(k) Following the adoption of this Zoning Code and following the adoption of subsequent amendments to this Zoning Code by Council, one notice of adoption shall be published by the City Clerk in a newspaper of general circulation in the City within 15 days after adoption. The notice shall include the following information:

- (1) In the case of a newly adopted zoning ordinance, the following statement: "A zoning ordinance regulating the development and use of land has been adopted by Council;"
- (2) In the case of an amendment to an existing ordinance, either a summary of the regulatory effect of the amendment, including the geographic area affected, or the text of the amendment;
- (3) The effective date of the ordinance; and
- (4) The place and time where a copy of the ordinance may be purchased or inspected.

Section 2. All ordinances, resolutions or rules, parts of ordinances, resolutions or rules inconsistent with the provisions hereof are hereby repealed.

Section 3. Should any section, clause or phrase of this ordinance be declared to be invalid, the same shall not affect the validity of the ordinance as a whole, or any part thereof other than the part so declared to be invalid.

Section 4. This ordinance shall take effect on the 30th day after enactment unless given immediate effect by City Council.

TABLED

AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, PROVIDING FOR THE REZONING OF A PARCEL OF REAL PROPERTY LOCATED IN THE CITY OF LANSING, MICHIGAN AND FOR THE REVISION OF THE DISTRICT MAPS ADOPTED BY SECTION 1246.02 OF THE CODE OF ORDINANCES.

By Councilmember Jeffries

To table the Ordinance

Motion Carried

REPORTS FROM CITY OFFICERS, BOARDS, AND COMMISSIONS; COMMUNICATIONS AND PETITIONS; AND OTHER CITY RELATED MATTERS

By Councilmember Jeffries that all items be considered as being read in full and that President Leeman make the appropriate referrals

Motion Carried

Reports from City Officers, Board and Commissions:

- a. Letter from the City Clerk submitting an application for a permit/license filed by Kamlesh Patel, Amrat Patel and Sandeep Desai to Transfer Ownership of 2007 B-Hotel Licensed Business with Dance Permit, located at 3121 E. Grand River Ave., Lansing, MI 48912, Ingham County, from Lansing Hotel Management Company, Inc. to Windson, Inc.

RECEIVED AND PLACED ON FILE

- b. Letter from the City Clerk submitting minutes of Boards and Authorities placed on file in the City Clerk's Office

RECEIVED AND PLACED ON FILE

- c. Lansing Housing Commission Financial Statements for Fiscal Year ending June 30, 2007

REFERRED TO THE COMMITTEE ON WAYS AND MEANS AND INTERNAL AUDIT

- d. Letters from the Mayor re:

- i. Application for Exemption of New Personal Property filed by Spartan Internet Consulting, Inc. for property located at 1030 S. Holmes St.

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

- ii. ACT-18-2007; 320 N. Larch St., Storm Sewer Easement

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

- iii. Z-14-2007; Vacant lot west of 517 Baker St., Planning Board recommendations re: a request filed by the Greater Lansing Housing Coalition to rezone the vacant lot west of 517 Baker St. from "F" Commercial District to "C" Residential District for the purpose of combining the vacant property with the adjoining lot at 517 Baker St. and utilize the entire parcel for one single family residential house

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING

- iv. Sole Source Purchase; Building Maintenance Division request for Liebert Corporation as the vendor for the Uninterrupted Power Supply (UPS) Unit for the 911 Center

REFERRED TO THE COMMITTEE ON WAYS AND MEANS AND INTERNAL AUDIT

- v. Emergency Purchase Order – Boiler Replacement/Oak Park Maintenance Facility

REFERRED TO THE COMMITTEE ON WAYS AND MEANS AND INTERNAL AUDIT

- vi. Sole Source Purchase; Department of Planning and Neighborhood Development/Transportation Office request for Global Electric Motorcars (GEM) as the vendor for Electric Parking Scooters

REFERRED TO THE COMMITTEE ON WAYS AND MEANS AND INTERNAL AUDIT

- vii. Sole Source Purchase; Public Service Department/Wastewater Division request for C2AE as the vendor for engineering, design and construction oversight for Wastewater Treatment Plant Miscellaneous Roof Rehabilitation/Phase III

REFERRED TO THE COMMITTEE ON WAYS AND MEANS AND INTERNAL AUDIT

- viii. Proposed Resolution authorizing an agreement between the City of Lansing and the Lansing School District to utilize a portion of Hill Center for Academics and Technology for a South Side Community Center

REFERRED TO THE COMMITTEE OF THE WHOLE

- ix. Proposed Resolution for Capital Area District Library's Capital Improvement Plan

REFERRED TO THE COMMITTEE ON INTERGOVERNMENTAL RELATIONS

- x. Appointment of Howard McCaffery to the Retirement Board of Trustees

REFERRED TO THE COMMITTEE ON WAYS AND MEANS AND INTERNAL AUDIT

- Communications and Petitions, and Other City Related Matters:

- a. Letter from the State of Michigan Department of Treasury submitting City of Lansing Fiscal Distress Indicator Scores for Fiscal Year 2006

REFERRED TO THE MAYOR

- b. Letter from the State of Michigan Department of Labor and Economic Growth providing notice of Impending Investigation regarding Fiesta Charra of East Lansing, LLC's request to Transfer Ownership of 2006 Class C Licensed Business with Sunday Sales, Dance-Entertainment Permit and 2 Bars, located in escrow at 3411 E. Michigan Ave., Lansing, MI 48912 from Josab Corp.; Kelly M. Hagan, Interim Trustee; Transfer Location to 2800 E. Grand River, Suite D, East Lansing, MI 48823; and Cancel existing Outdoor Service (1 Area)

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

- c. Letter from Brian McVeigh of NuUnion Credit Union removing NuUnion Credit Union from a Petition in Opposition to Z-5-2007; 600 S. Capitol Ave., for rezoning from "D-1" Professional Office District to "F-1" Commercial District

RECEIVED AND PLACED ON FILE

- d. Letters from Comcast Cable re:
 - i. Providing notice of channel lineup changes effective December 20 and 31, 2007 and pay-per-view Video ON DEMAND pricing changes effective February 1, 2008

REFERRED TO THE CITY ATTORNEY

- ii. Public Education and Government (PEG) channel location changes clarification and update

REFERRED TO THE CITY ATTORNEY AND REFERRED TO THE COMMITTEE OF THE WHOLE

- e. Community Funding Reporting statement filed by Capital City African American Cultural Association for its Capital City African American Cultural Parade and Family Festival held August 4, 2007

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

- f. Letters from John Pollard, President of Fair Share Coalition of Lansing re:

- i. Three (3) Freedom of Information Act requests

REFERRED TO THE CITY ATTORNEY

- ii. Appealing the denial of a Freedom of Information request dated November 26, 2007

REFERRED TO THE CITY ATTORNEY

- g. Letter from Carolyn Lindeman of 11796 Silverspring Dr., Dewitt, MI in support of Z-5-2007

*SUSPENSION ITEM-REFERRED TO THE COMMITTEE OF THE WHOLE

- h. Letter from Kendric Hall, Board Chair of The Greater Lansing Convention & Visitors Bureau in support of Z-5-2007

*SUSPENSION ITEM-REFERRED TO THE COMMITTEE OF THE WHOLE

- i. Letter from David Grande-Cassell of Clark-Hill PLC1 stating conditions to drop its petition in opposition to Z-5-2007

*SUSPENSION ITEM-REFERRED TO THE COMMITTEE OF THE WHOLE

- j. Letter from Linda Sims of 517 N. Cedar St. in support of surveillance cameras throughout the City of Lansing

*SUSPENSION ITEM-REFERRED TO THE COMMITTEE OF THE WHOLE

The Council returned to the order of:

ORDINANCES FOR PASSAGE

By Councilmember Jeffries

To remove Z-5-2007 from the Table

Motion Carried

REFERRED TO THE COMMITTEE OF THE WHOLE

AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, PROVIDING FOR THE REZONING OF A PARCEL OF REAL PROPERTY LOCATED IN THE CITY OF LANSING, MICHIGAN AND FOR THE REVISION OF THE DISTRICT MAPS ADOPTED BY SECTION 1246.02 OF THE CODE OF ORDINANCES.

By Councilmember Jeffries

To refer Z-5-2007 to the Committee of the Whole

Motion Carried

ADJOURNED TIME 12:09 A.M.

CHRIS SWOPE, CITY CLERK



**OFFICIAL PROCEEDINGS OF
THE CITY COUNCIL
CITY OF LANSING
PROCEEDINGS OF DECEMBER 17, 2007**

City Council Chambers
Lansing, Michigan

The City Council of the City of Lansing met in regular session and was called to order at 7:00 p.m. by President Leeman.

PRESENT: Councilmembers Allen, Dunbar, Kaltenbach, Leeman, Matt, Quinney

ABSENT: Councilmembers Jeffries and Wood

The Council observed a moment of Meditation followed by the Pledge of Allegiance led by President Leeman

CONSIDERATION OF LATE ITEMS

By Councilmember Allen

To suspend City Council Rule #11 to allow for Consideration of Late Items

Motion carried

The following item was added to the agenda:

1. From Councilmember Dunbar; Authorization to sell certain City Council office furniture to Harold J. Leeman, Jr. at a fair-market price

TABLED ITEMS

1. REPORT FROM THE COMMITTEE ON DEVELOPMENT AND PLANNING
 - a. Recommending adoption of Z-5-2007; 600 S. Capitol Ave., a request filed by AnnaBelle & Associates, Inc. for rezoning from "D-1" Professional Office District to "F-1" Commercial District

By Councilmember Allen

To remove this Committee Report from the table

Motion Carried

SPECIAL CEREMONIES

• Special Ceremonies

1. Presentation; State Legislative Update from Joan Bauer

State Representative Joan Bauer gave a detailed update on the things that are taking place at the State Legislature. She said the last three months were challenging but a great budget came out of it.

2. Tribute; Harold Leeman Jr. and Bill Matt for their dedicated service to the City of Lansing

City Clerk Swope read the following Resolution:

RESOLUTION#549

BY COUNCILMEMBER KATHY DUNBAR, COUNCILMEMBER SANDY ALLEN, COUNCILMEMBER TIM KALTENBACH, COUNCILMEMBER HAROLD LEEMAN, AND COUNCILMEMBER DERRICK QUINNEY
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, in 1968 William "Bill" Matt was born the youngest of five children in Bay City, Michigan, to Margaret and Francis Matt; and

WHEREAS, in 1971, the Matt family moved to Lansing, where Bill has been a devoted resident ever since; and

WHEREAS, Bill grew up in several working, middle-class neighborhoods (Gordon Avenue, Hodge Avenue, Marion Avenue, and Mildred Street), which helped him develop his appreciation for strong communities; and

WHEREAS, Bill started his education at "little" Everett Elementary (now the Lansing Police Department's South Precinct), and went on to graduate from J.W. Sexton High School in 1986; and

WHEREAS, Bill and his wife, Michelle, met in 1989, married in 1993, and now have three handsome sons, Nicholas (9), Avery (6), and Owen (2); and

WHEREAS, Bill works as an Education Program Coordinator at the Michigan State University Museum and is the Director of the Great Lakes Folk Festival; and

WHEREAS, from 2002-2007, Bill was a member of the Ingham County Parks Commission, served as the Chair of the Budget and Personnel Committee, assisted in the extension of several major trails and the development of a Community Playground and Splash Pad at Hawk Island Park; and

WHEREAS, Bill served on the Potter Park Zoo Task Force to help with the transition of its operations from the City of Lansing to Ingham County; and

WHEREAS, on May 7, 2007, the Lansing City Council voted unanimously to appoint Bill to the vacant Third Ward City Council seat, where he immediately went to work on the City Council Budget; and

WHEREAS, Bill was the Chair of the Intergovernmental Relations Committee and a member of the Public Safety Committee, working on issues related to Code Compliance, Traffic Engineering and Emergency Services;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council hereby wishes to thank Bill Matt for his contributions as the Third Ward Councilmember and for his lifelong commitment to the City of Lansing and its residents. We wish you continued success in all your endeavors!

By Councilmember Dunbar

Motion Carried

Councilmember Bill Matt said it has truly been an honor and a privilege to serve as Third Ward City Councilmember these last few months. He said this is truly a great job. He thanked the citizens who supported him and the Councilmembers for helping him learn his way.

Mayor Bernero read a proclamation in honor of Councilmember Matt. He thanked Bill for all the good work he did in the short time he has been on the City Council. He said it has been a joy getting to know Bill and his family and working with him.

City Clerk Swope read the following Resolution:

RESOLUTION#550

BY COUNCILMEMBER KATHIE DUNBAR, COUNCILMEMBER SANDY ALLEN, COUNCILMEMBER TIM KALTENBACH, COUNCILMEMBER BILL MATT, AND COUNCILMEMBER DERRICK QUINNEY,
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Harold Leeman, Jr. was born in 1957, the youngest of five children to Harold and Virginia Leeman, and

WHEREAS, he was raised and has lived his whole life on Lansing's East Side; and

WHEREAS, Harold graduated from Eastern High School in 1975, Lansing Community College in 1978, and Michigan State University in 1981; and

WHEREAS, he has always been involved in his community, caring for and looking after his neighbors; and

WHEREAS, Harold has been involved in local neighborhood and government issues for over 20 years; and

WHEREAS, he was a Council "Regular" during a time when activists dealt with issues instead of personalities; and

WHEREAS, Harold was first elected to serve as First Ward City Councilmember in 1995 and, being re-elected in 1999 and 2003, continued to serve the city in that capacity for 12 years; and

WHEREAS, Harold played a major role in the economic growth of his ward, the city, and the region, including keeping General Motors and Jackson National Life in the Lansing area; and

WHEREAS, he has always worked to build collaborative relationships amongst his colleagues and three administrations;

WHEREAS, Harold has served on all City Council committees and many community boards and commissions during his tenure as a Councilmember; and

WHEREAS, he has served in many leadership capacities, including, Chair of the Tri-County Michigan Works Board, Chair of the Tri-County Commission on Aging, and Chair of the Tri-County Regional Planning Commission; and

WHEREAS, Harold was voted by his colleagues President of the Lansing City Council in 2006 and again in 2007; and

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council hereby wishes to thank Harold Leeman, Jr., for his contributions as the First Ward Councilmember and for his lifelong commitment to the City of Lansing and its residents. We wish you continued success in all your endeavors!

By Councilmember Dunbar

Motion Carried

President Leeman stated that he has enjoyed serving the residents of

the first ward for the past 12 years. He said that he will never forget the good or the bad times that he has had while serving on the City Council. He said that he has worked with 3 Mayor's and 13 past and present Councilmembers and it has been such a pleasure doing so. He stated that he plans to continue working with the residents and the neighborhoods to help make Lansing grow. He thanked all of the Councilmembers past and current. He thanked past and current Mayors. He especially thanked everyone who has supported him over the years.

Mayor Bernero said that Harold has a heart of gold and a heart for this City. He said that credit goes to Harold for the way that Lansing has moved forward. He said it has been a pleasure working with Harold. He thanked Harold for all the support and help that he has given. He said Harold has a kind, gentle soul.

President Leeman thanked the Mayor and his fellow Councilmembers.

**COUNCILMEMBERS' COMMENTS
AND CITY CLERK'S ANNOUNCEMENTS:**

Councilmember Quinney announced the Christmas gift wrapping event at Friendship Baptist Church.

Councilmember Dunbar thanked the Lansing Community College Gay/Straight Alliance for asking her to host their Annual Drag event. She stated that if you missed the Lansing Women's Chorus and the Greater Lansing Gay Men's concert, you should mark your calendars for next year because it was a wonderful concert.

Councilmember Matt announced that the Colonial Village Neighborhood Association will not be meeting this week. He thanked the Public Service Department for a great job on clearing the snow off the roads this weekend from the major snow event that took place.

City Clerk Swope stated that today is the last day that you can register to vote for the January President Primary Election. He asked that voters remember to sign their absentee ballot applications so they can be processed in a timely fashion. He stated that you also need to indicate on the application which political party ballot you would like to have mailed to you. He said we have two separate ballots, one for the Republican Party candidates and one for the Democratic Party candidates. He spoke about the renewal process for having the Council Agenda mailed.

President Leeman stated that Comcast will be changing the City TV Access Channel beginning in January. He said in order for residents to still get the channel you will need to get a Digital Cable Box if you do not have a digital TV. He stated that there is nothing that the City or Council can do about this, as it has no control over it.

City Attorney Smith gave additional information regarding the Uniform Video Service Provider Act that was passed last year by the State Legislature. He stated that Comcast is giving away Digital Boxes free for 1 year and citizens can call 1-877-824-2984 for more information.

**SPEAKER REGISTRATION FOR PUBLIC
COMMENT**

Clerk Swope announced that the public comment registration form(s) for those intending to address Council on legislative or City government matters will be collected and that only those persons who have fully completed the form(s) will be permitted to speak.

MAYOR'S COMMENTS

Mayor Bernero thanked City Council President Harold Leeman for his 12 years of service on the Council. He stated that he didn't get a

chance to work together for long with Third Ward Councilmember Bill Matt, but he was a bright light on this Council. He spoke in support of the much-anticipated South Side Community Center. He stated that last week on Tuesday he joined our new Go Green Coordinator, Taylor Heins, and the staff of our Waste Reduction Services division at Woodcreek Magnet School for the unveiling of the school's new solar-heated worm farm. He announced the results from the City of Lansing – Board of Water and Light Toys for Tots challenge. The final tally was BWL – 820 toys, City of Lansing – 586 toys. He announced that Lisa Thelen of our Human Resources Department has been selected as our Employee of the Month for December. He said that it has been a great year here in City government and thanked everyone who has been part of taking Lansing from good to great. He spoke about several developments and events that took place in 2007. These included the historic redevelopment of the Ottawa Power Station on our riverfront, the Capitol Club Tower project, the Kalamazoo Gateway project, the Market Place and Ballpark North proposals the refurbishing of several of Lansing's most historic buildings, including the Mutual Building project, which will become the new headquarters of The Christman Company, and the Hollister Building. He spoke about the new jobs being created by the Demmer Corporation, Barnes Aerospace, Emergent Biosolutions, Neogen and many others. He wished all the citizens of this great City a wonderful holiday season and a Happy New Year.

SHOW CAUSE HEARINGS

- Comment on Scheduled Show Cause Hearings:

There were no Show Cause Hearings

PUBLIC COMMENT ON LEGISLATIVE MATTERS

- Public Comment on Legislative Matters:

There were no Public Hearings included in Legislative Matters.

John Brady of 614 W. Northrup St. spoke in opposition to the proposed construction project for Northrup St.

Ted Boettcher of 320 W. Northrup St. spoke in support of the resolution for repaving only on Northrup St.

Frank S. Curtis X of 1137 W. Allegan St. spoke in opposition to the South Side Community Center being housed in the Hill Center.

Richard Clement of 900 Long Blvd. said that the funding for a South Side Community Center could come from having a Casino built in Lansing.

Anne Wilson of 2619 Pleasant Grove Rd. spoke in support of the South Side Community Center being housed in the Hill Center.

Paul Carrier of 3721 Sumpter St. spoke in support of the South Side Community Center's proposed location.

Gordon Wilson of 413 S. Jenison St. spoke in support of the South Side Community Center being housed in the Hill Center.

Alfreda Schmidt of 1414 Lindbergh Dr. spoke in support of the Hill Center being used as the South Side Community Center.

LeRoy Harvey of 1641 Mt. Vernon Ave., East Lansing, spoke in support of the South Side Community Center being housed in the Hill Center.

John Pollard of 1718 Blair St. spoke in opposition to the South Side Community Center being housed in the Hill Center.

Linda Appling of 4010 W. Thackin Dr. spoke in support of the Hill Center being used for the South Side Community Center.

Darnell E. Oldham Sr. of 3815 Berwick Dr. spoke in opposition to the South Side Community Center being housed in the Hill Center.

Stan Shuck of 818 Cooper Ave. spoke about concerns that he has with the South Side Community Center being housed in the Hill Center.

Willy Williams of P O Box 11042 spoke in support of the Hill Center being used in part as the South Side Community Center. He thanked Councilmember Matt and President Leeman for doing a good job.

Angela Brown of 222 N. Washington Sq. thanked everyone who has helped with the rezoning process for Annabelle and Associates. She asked Council to please consider passing the rezoning request.

Frank Lain of 2918 Sunderland Rd. spoke in support of the South Side Community Center.

Rick Kibbey of 1614 Lindbergh Dr. spoke in support of the South Side Community Center being housed in the Hill Center.

Christine Timmon of 2519 S. Washington Ave. spoke in opposition to the South Side Community Center being housed in the Hill Center.

A'Lynne Robinson of 2515 Victor Ave. stated concerns with having the South Side Community Center at the Hill Center and the future of the building.

PUBLIC COMMENT

ON CITY GOVERNMENT RELATED MATTERS:

Frank S. Curtis X of 1137 West Allegan St. spoke about an article that was recently published in the Lansing City Pulse.

Delray Finnerty of 214 Lathrop St. spoke about Council coming together to finish projects that have been in the works for awhile.

Virginia Humble of 604 E. Fredrick St. spoke about various city matters.

Joel Wiese of 311 Strathmore Rd. spoke about the proposed project for the City Market.

John Pollard of 1718 Blair St. spoke about various city matters.

Darnell E. Oldham Sr. of 3815 Berwick Dr. spoke about various city matters.

Walter Brown of 1310 Knollwood Ave. spoke about proposed surveillance cameras in his neighborhood.

Stan Shuck of 818 Cooper Ave. spoke about various city matters.

Willy Williams of P O Box 11042 spoke about various city matters.

Diane Thompson of 1611 Osborn Rd. spoke about the proposed City Market project.

Kris Zawisza of 322 Westmoreland Ave. spoke about the proposed City Market project.

John Boise of 4921 Tenny St. spoke about various city matters.

Willie Hobbs of 5017 Connors Ave. spoke about various city matters.

Christine Timmon of 2519 S. Washington Ave. spoke about various city matters.

Ronald Kruger of 3333 Moores River Dr. spoke about various city matters.

LEGISLATIVE MATTERS

RESOLUTIONS**RESOLUTION#551**

BY THE COMMITTEE OF THE WHOLE

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the establishment of a South Side Community Center has been a long-standing priority of the Lansing City Council, which has previously set aside \$1 million for this purpose; and

WHEREAS, Mayor Bernero has identified an additional funding source of \$2.3 million, which will no longer be available for this purpose after May 2, 2008; and

WHEREAS, shortly after taking office, Mayor Bernero convened the South Side Citizen Action Team to investigate alternatives and to develop a recommendation for the establishment of a South Side Community Center; and

WHEREAS, the South Side Citizen Action Team, after spending several months exploring various alternatives, has recommended that a community center be established at the Lansing School District's Hill Center for Academics and Technology; and

WHEREAS, the proposed South Side Community Center would provide much-needed recreational and educational services to youth, families and senior citizens in an underserved area of the city; and

WHEREAS, the use of the Hill Center for this purpose will benefit the Lansing School District by increasing the utilization of the Hill Center, reducing costs to the school district, and furthering cooperation between the school district and the city; and

WHEREAS, the use of the Hill Center as a community center will also benefit the City of Lansing by furthering cooperation between the city and the school district, and will provide a facility with convenient access to amenities not otherwise affordable, including a swimming pool, auditorium, and gymnasium; and

WHEREAS, Mayor Bernero concurs with the recommendation of the South Side Citizen Action Team, and is proposing that an agreement be negotiated with the Lansing School District to allow for the establishment of a South Side Community Center;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council approves the establishment of a South Side Community Center at the Hill Center for Academics and Technology;

BE IT FURTHER RESOLVED that the Lansing City Council authorizes an agreement with the Lansing School District based substantially on the following parameters:

1. Approximately 5,905 square feet of space within the Hill Center will be dedicated for use by the South Side Community Center ("Dedicated Space"). This dedicated space includes approximately 1,962 square feet of new space to be constructed to provide for a separate entrance, lobby, waiting room, vestibule, canopy, restroom, and reception areas at the southeast entrance to the existing building.
2. Approximately 43,950 square feet of space within the Hill Center will be used on a shared basis by the Community Center and the Lansing School District ("Shared Space"). This shared space will include the swimming pool, auditorium, gymnasium, locker room, and Oak Room. In addition, there will be an allowance for hallways within the dedicated and shared spaces, which is estimated to be up to 4,000'.
3. Unless otherwise provided for in the lease, the Community Center will be operated in conformance with the policies and procedures of the Lansing School District for the use of school facilities and the laws of the State of Michigan.

4. Programming for the Community Center's activities and the use of the shared space will be the responsibility of the city, except that the school district reserves priority use of gymnasium, auditorium and swimming pool for its recurring scheduled school events. Scheduling of space will be done in such a manner as to ensure the school district's use of the gymnasium, auditorium and swimming pool for its recurring scheduled school events, which includes but is not limited to, practices, competitions, and performances.
5. All building management activities, including maintenance, mechanical systems, landscaping, utilities, construction of new space, renovation of existing space, permitting, licensing, insurance, custodial services, and repairs will be provided by or conducted under the supervision of the school district, unless otherwise provided.
6. The city will be responsible for specifying to the school district the desired scope and nature of renovations for the dedicated space. The city will provide the funding for the renovations to the dedicated space, including the construction of new space. These renovations may include provision for separation of the Hill Center's space from the dedicated and shared space (not including building HVAC systems), and a separate entrance. In addition, the school district and city will insure that there is appropriate separation between Hill Center students and Community Center users.
7. The city and school district will agree on specific renovations and improvements to the shared space, and the city will provide funding for these renovations and improvements. Specific city funded renovations may include the addition of a pool lift for handicapped accessibility, additional gym equipment, kitchen upgrades, new finishes in dedicated spaces, reupholstered seats in the auditorium, replacement of gymnasium bleachers, and the addition of partitions in the gymnasium.
8. The school district will manage all exterior space and facilities at the Hill Center. The city will have use of exterior space and facilities including track, soccer field, ball fields, and the north and west parking lots. The city and school district will share financial responsibility for maintenance and improvements to the south parking lot. The city shall be able to place signage on school grounds, subject to the prior approval of the school district. The school district and city may agree on specific renovations and improvements to such exterior spaces and facilities.
9. The city shall have use of the cafeteria and kitchen at those times it is not being used by the school district. Kitchen use shall occur only through the District's Food Service Program.
10. The school district will continue to provide custodial services and supplies in both the dedicated and shared spaces. The city and school district may agree to an enhanced level of service as a result of the Community Center's activities.
11. The term of the lease will be for 30 years at a nominal payment of \$1/year by the city to the school district. As additional consideration, the city will pay for renovation and new construction associated with the city's use of the dedicated and shared space, including hallways; the operating and maintenance costs associated with the dedicated space, a proportional share of operating and maintenance costs associated with the shared space; and a proportional share of major maintenance, repair, and capital replacement items directly affecting the leased space.
12. The maximum cost to be paid by the city to the school district for the renovation and new construction associated with the city's use of the dedicated and shared space will not exceed \$2.3 million.

13. The city's proportionate share of the operating and maintenance costs will be based on the amount of dedicated space and shared space leased in proportion to the total size of the building and degree of usage.
14. In the same manner as for operating and ongoing maintenance costs, the city will share proportionately in major items directly affecting leased space, including but not limited to HVAC, roof, and building exterior. The city and school district will determine on an annual basis the major maintenance and repair items to be funded in the upcoming fiscal year.
15. In the event that it is necessary for the lease to be terminated by either party, a written notice at least 12 months in advance will be required. In the event of termination, the portion of the city's investment in school facilities which is not depreciated will be returned.

BE IT FINALLY RESOLVED, that the Lansing City Council hereby appropriates \$2.3 million for the renovations and construction of new space from funds previously reserved for a South Side Community Center as follows, and reserves the remaining funds of approximately \$1,000,000 accumulated from prior appropriations in the Capital Projects and Parks Millage Funds for future operating costs to be spent upon a lease being signed which is consistent with these parameters.

Transfer from:

\$2,325,115 Triangle Property Proceeds (Parking Fund Reserved Account)

585.000000.679100.0

Transfer to:

\$2,325,115 Transfer to Capital Projects, Southside Community Center Account

585.453641.991410.0

Appropriate:

\$2,325,115 Transfer from Parking Fund

410.0.696585.46078

\$2,325,115 Southside Community Center Capital Project

410.933890.970000.46078

BE IT FINALLY RESOLVED, that the Mayor, on behalf of the City, is authorized to sign and execute all necessary documents to effectuate this transaction, subject to their prior approval as to form by the City Attorney.

By Councilmember Allen

Motion Carried

RESOLUTION#552

BY COMMITTEE OF THE WHOLE
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Public Service Department has recognized the need for street improvements, including the need for construction of **curb and gutter, sidewalk and the necessary storm drainage facilities on Northrup Street from Washington Avenue to Cedar Street;** and

WHEREAS, pursuant to Chapter 1026 of the Lansing Code of Ordinances, the Public Service Department and the Mayor's office submitted to City Council, a Public Improvement I resolution on October 1, 2007; and

WHEREAS, by approval of the resolution, City Council would determine that this proposed public improvement would especially benefit properties in the vicinity of the work to be done and would establish a benefit district to be specially assessed for the public improvement; and

WHEREAS, the installation of curb and gutter and sidewalks was

recommended by Public Service as the alternative that best meets the need of the local residents and the City at large, and

WHEREAS, the residents have expressed their opposition to the Public Service Department's recommendation of the installation of concrete curb and gutter and sidewalks as well as any attempt to widen the roadway; and

WHEREAS, design standards associated with the Surface Transportation Program (STP) Program prohibit the replacement of this road at its current width unless a waiver is provided by the Michigan Department of Transportation (MDOT); and

WHEREAS, the installation of a shared use path (or bike path) would not be possible without widening the roadway; and

WHEREAS, approximately 80% of the funding for construction, or \$860,000, needed to provide these improvements are currently in the form of Surface Transportation Program (STP) 2008 monies provided via the Tri-County Regional Planning Commission (TCRPC), as listed in the 2008-2011 Transportation Improvement Program (TIP); and

WHEREAS, any unutilized STP monies will be turned back to the TCRPC and redistributed for other projects and

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council requests the Public Service Department to request a waiver from the Michigan Department of Transportation (MDOT) to allow the resurfacing only of Northrup Street as the residents have requested and that the application for the waiver when completed by the Public Service Department be given to the City Council for review prior to submission to MDOT.

By Councilmember Allen

Motion Carried (Councilmember Matt voting Nay)

RESOLUTION#553

BY COUNCILMEMBER KATHIE DUNBAR
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, pursuant to resolution #359 adopted by this Council on September 6, 2007, for special assessment roll number B086 for curb, gutter, and necessary drainage facilities, the City Council will consider individual requests from business to permit installment payment for this project upon showing of special need of economic hardship; and

WHEREAS, special assessment roll number B086, as returned by the City Assessor, has been ratified and confirmed, and the Mayor has affixed his warrant directing the City Treasurer to collect said tax; and

WHEREAS, the City Assessor has prepared and set the taxpayer a bill consistent with Section 1026.07(a) of the Lansing Code of Ordinances with the first installment due and payable within ninety (90) days after the approval of the assessment roll; and

WHEREAS, Section 1026.07(b) of the Lansing Code of Ordinances permits City Council to grant an extension of time for payment of special assessments by any taxpayer upon the showing of special need or economic hardship; and

WHEREAS, Christ United Methodist Church, as a taxpayer, petitioned City Council to extend payments for certain special assessments for property at the location of 517 W. Jolly Road in accordance with Section 1026.07(a)(3); and

WHEREAS, Christ United Methodist Church provides for hundreds of destitute citizens by serving free lunch at the Southside Community Kitchen, serving them for the past five years; and

WHEREAS, the Southside Community Kitchen is in desperate need

of renovations to allow the "Church" to serve even more citizens in need; and

NOW, THEREFORE, BE IT RESOLVED that City Council finds that it would be an economic hardship for the Christ United Methodist Church to pay the special assessments for said property in accordance with Section 1026.07(a)(3); and

BE IT FURTHER RESOLVED that pursuant to Section 1026.07(b) of the Lansing Code of Ordinances, Christ United Methodist Church shall have a maximum of ten (10) years to pay the special assessment in ten equal installments for curb, gutter, and necessary drainage facilities on the following parcel:

33-01-05-04-101-301 (517 W. Jolly Road) in the amount of \$5,020.25; the penalty of \$50.20 will be waived;

BE IT FURTHER RESOLVED that during the payment extension, interest shall be added to the special assessment installment payments at the rate and in the manner as otherwise provided for under Sections 1026.07(a)(3) and 1026.07(a)(4);

BE IT FURTHER RESOLVED that the City Attorney prepare the appropriate documents for execution by the above named party;

BE IT FURTHER RESOLVED that the taxpayer shall sign the extension agreement within two weeks of the adoption of this resolution to validate the extension;

BE IT FINALLY RESOLVED that upon proper execution of the extension agreement, the City Assessor shall prepare and send the taxpayer a bill consistent with this resolution with the first installment due and payable within thirty (30) days of the approval of this resolution.

By Councilmember Dunbar

To accept a substitute Resolution for the one originally placed in the packet

Motion Carried

By Councilmember Dunbar

To place an affirmative roll on the substitute Resolution

Motion Carried

City Clerk Swope read the following Resolution:

RESOLUTION#554

BY COUNCILMEMBER CAROL WOOD
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Cora L. Duncan, through her contributions as a social worker for the Lansing School District and as a Minister for the Vision of Love Outreach Ministries, has been a dedicated and active member of the Lansing community; and

WHEREAS, during her tenure at General Motors, she was the local 1753 Chaplain, chairperson of the Coalition of Local Union Women (CLUW) for Locals 1753 and 1618, and the Coordinator for Education and Training for Local 1618; and

WHEREAS, while managing women's softball teams from 1964 through 1975, she realized her desire to mentor young women and founded the Vision of Love Outreach Ministries in 1992 where she continued to minister and do outreach work until 2005; and

WHEREAS, Cora became the President of the Michigan Chapter of Exclusive Godly women, a national women's ministry and is a member of the Lansing Area Pastor's Conference and continues to mentor young women through prayer groups and counseling; and

WHEREAS, she also oversees Vessel of Praise, New Direction Bible Ministries, and travels across the United States to do work in the ministry; and

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, wish to extend its warmest thank you to Cora L. Duncan for her contributions to the community and to the residents of the City of Lansing. We wish you continued success in all of your endeavors!

By Councilmember Leeman

Motion Carried

RESOLUTION#555

BY THE COMMITTEE ON GENERAL SERVICES
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Franklin Street Community Housing Corporation has requested a resolution of recognition as a Local Nonprofit Organization operating in the City of Lansing for a charitable gaming license pursuant to MCL 432.103 (9); and

WHEREAS, the City Attorney has reported that, based on a review of the documentation submitted, the applicant qualifies as a Local 501 (c) (3) Nonprofit Organization;

NOW, THEREFORE, BE IT RESOLVED, the Lansing City Council, hereby, recognizes Franklin Street Community Housing Corporation as a Local Nonprofit Organization operating in the City of Lansing for the purpose of obtaining a charitable gaming license to conduct a raffle;

BE IT FURTHER RESOLVED that the City Clerk is requested to provide a copy of this resolution to William Acheson, Executive Director, Franklin Street Community Housing Corporation, 618 Seymour Street, Lansing, Michigan 48933.

By Councilmember Kaltenbach

Motion Carried

RESOLUTION#556

BY THE COMMITTEE OF THE WHOLE
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

That the following FY 2008 transfer be approved;

AMOUNT TO TRANSFER	TRANSFER FROM ACCOUNT #	TRANSFER TO ACCOUNT #
\$224,702.41	CDBG Contingency 252.932651.992000.41000	
\$169,053.06		CDBG Public Imp-Cap Outlay/Const 252.932664.970000.41000
\$55,649.35		CDBG Counseling 252.932674.743059.41000

Reprogram \$224,702.41 of FY 06 CDBG Funds.

\$55,649.35 of Public Service funds were not expended during FY 06. These funds will now be used for neighborhood outreach, education, and communication.

The remaining \$169,053.06 of FY 06 funds will be used toward acquisition of a neighborhood facility and within the Comstock Park priority area. The structure will be used to house several non-profit organizations and programs including a senior center and Head Start program.

By Councilmember Allen

Motion Carried

RESOLUTION#557

BY THE COMMITTEE OF THE WHOLE
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the 2008 State of the City address was scheduled for January 28, 2008; and

WHEREAS, President Bush has rescheduled the State of the Union address for that date; and

WHEREAS, Mayor Bernero has requested to reschedule the State of the City address to Wednesday, January 30, 2008, and

WHEREAS, Committee of the Whole met on December 13, 2007, and considered the matter; and

WHEREAS, the Committee of the Whole took affirmative action;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council amends the 2008 meeting schedule as follows:

January 3 — Thursday at 1:30 p.m. due to New Years Day
January 7, 14
January 24 — Thursday at 1:30 p.m. due to the Martin Luther King Holiday
January 28
January 30 — Wednesday at 7:00 p.m. for the State of the City address; location to be announced
February 4, 11, 18, 25
March 3, 10, 17, 24, 31
April 7, 14, 21, 28
May 5, 12, 19
May 29 Thursday at 1:30 p.m. due to Memorial Day
June 2, 9, 16, 23, 30
July 7, 14, 21, 28
August 4, 11, 18, 25
September 4 — Thursday at 1:30 p.m. due to Labor Day
September 8, 15, 22, 29
October 6, 13, 20, 27
November 3, 10, 17, 24
December 1, 8

Except as otherwise noted, all meetings will be on a Monday at 7:00 p.m. in the Lansing City Council Chambers, 10th Floor City Hall.

By Councilmember Allen

Motion Carried

RESOLUTION#558

BY THE COMMITTEE OF THE WHOLE
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Harold J. Leeman, Jr. has requested that it be permitted to purchase certain City Council Office furniture; and

WHEREAS, pursuant to the Purchasing Ordinance, the City Council may sell unwanted supplies on the recommendation of the Mayor; and

WHEREAS, the Mayor has recommended the sale of certain City Council office furniture to Harold J. Leeman, Jr. at fair-market value;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, authorizes the Administration to sell certain City Council office furniture to Harold J. Leeman, Jr. at a fair-market value.

By Councilmember Dunbar

To recuse Councilmember Leeman for possible conflict of interest

Motion Carried

By Councilmember Dunbar

To place an affirmative roll on the Resolution

Motion Carried (Councilmember Leeman abstaining)

REPORTS FROM COUNCIL COMMITTEES

RESOLUTION#559

REPORT OF COMMITTEE

THE COMMITTEE ON DEVELOPMENT AND PLANNING was held on November 21, 2007 and reviewed the Ordinance amendment to Chapter 1246, Section 1246.02 of the Code of Ordinances to allow for rezoning a parcel of real property located at 600 S. Capitol from "D-1" Professional Office District to "F-1" Commercial Office District, property located at 600 S. Capitol.

The Committee recommends approval of the Ordinance amendment to Chapter 1246, Section 1246.02 of the Code of Ordinances to allow for rezoning a parcel of real property located at 600 S. Capitol from "D-1" Professional Office District to "F-1" Commercial Office District, property located at 600 S. Capitol.

Signed: Brian Jeffries, Chairperson

Sandy Allen, Vice Chairperson

Kathie Dunbar, Member

By Councilmember Allen

To receive this Committee Report

Motion Carried

ORDINANCES FOR INTRODUCTION

INTRODUCTION OF ORDINANCE

AMEND CHAPTER 830, SECTIONS 830.03, 830.05
AND 830.06 AND CREATE SECTION 830.05a

By Councilmember Kaltenbach, Chair of the Committee on General Services

That:

An Ordinance of the City of Lansing to amend Chapter 830 of the Lansing Codified Ordinances by creating a new section 830.05A establishing a renewal review process and corresponding application fee and amending sections 830.03, 830.05 and 830.06 to allow the placement of a liquor selling establishment within 500 feet of a church or school under certain conditions and to add the requirement that liquor selling establishments be current on all real property taxes, personal income taxes, corporate income taxes, employee withholding taxes, or other financial obligations to the City

was introduced by Councilmember Kaltenbach, read by its title and referred to the Committee of the Whole

RESOLUTION#560

RESOLUTION SETTING PUBLIC HEARING

By Councilmember Kaltenbach

RESOLVED BY THE CITY COUNCIL, CITY OF LANSING, that a public hearing be set for Monday, January 7, 2008 at 7:00 P.M. in the City Council Chambers, 10th Floor Lansing City Hall, 124 W. Michigan Ave., Lansing, MI for the purpose of considering an Ordinance of the City of Lansing to amend Chapter 830 of the Lansing Codified Ordinances by creating a new section 830.05A

establishing a renewal review process and corresponding application fee and amending sections 830.03, 830.05 and 830.06 to allow the placement of a liquor selling establishment within 500 feet of a church or school under certain conditions and to add the requirement that liquor selling establishments be current on all real property taxes, personal income taxes, corporate income taxes, employee withholding taxes, or other financial obligations to the City

Interested Persons are invited to attend this Public Hearing

By Councilmember Kaltenbach

Motion Carried

ORDINANCES FOR PASSAGE

By Councilmember Allen

That we move to the passage of Ordinances

By Councilmember Allen

That the Ordinance when read be considered as read in its entirety.

BY THE COMMITTEE OF THE WHOLE

By Councilmember Allen

Resolved by the City Council of the City of Lansing that an Ordinance of the City of Lansing, Michigan, Providing for the Rezoning of a parcel of real property located in the City of Lansing, Michigan and for the revision of the district maps adopted by section 1246.02 of the Code of Ordinances for property located at Z-5-2007; 600 S. Capitol Ave., be placed on order of immediate passage.

BY THE COMMITTEE OF THE WHOLE

By Councilmember Allen

Resolved by the City Council of the City of Lansing that an Ordinance of the City of Lansing, Michigan, Providing for the Rezoning of a parcel of real property located in the City of Lansing, Michigan and for the revision of the district maps adopted by section 1246.02 of the Code of Ordinances for property located at Z-5-2007; 600 S. Capitol Ave., be now passed.

YEAS: Councilmembers Allen, Dunbar, Kaltenbach, Leeman, Matt and Quinney

NAY: None

ABSENT: Councilmembers Jeffries and Wood

By Councilmember Allen

THAT THIS ORDINANCE, BEING NECESSARY FOR THE IMMEDIATE PRESERVATION OF THE PUBLIC, PEACE, HEALTH OR SAFETY SHALL TAKE EFFECT UPON ITS PASSAGE

Motion Carried

ORDINANCE #2534

AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, PROVIDING FOR THE REZONING OF A PARCEL OF REAL PROPERTY LOCATED IN THE CITY OF LANSING, MICHIGAN AND FOR THE REVISION OF THE DISTRICT MAPS ADOPTED BY SECTION 1246.02 OF THE CODE OF ORDINANCES.

The City of Lansing ordains:

Section 1. That the district maps adopted by and incorporated as Section 1246.02 of the Code of Ordinances of the City of Lansing,

Michigan be amended to provide as follows:

To change the zoning classification of the property described as follows:

Case Number: Z-5-2007
Address: 600 S. Capitol Avenue
Parcel Number: PPN: 33-01-01-16-383-052
Legal Descriptions: Lots 1, 2 & 3, Block 159, Original Plat, City of Lansing, Ingham County, Michigan, From "D-1" Professional Office District to "F-1" Commercial District, with the following conditions:

1. No portion of the Property shall be used for a motor vehicle service station.
2. No portion of the Property shall be used for the placement of a billboard or other non- accessory free-standing sign.
3. No portion of the Property shall be used for a convenience retail store, bar, tavern or restaurant.
4. No portion of the Property shall be used for the sale or lease of new or used automobiles, trailers, boats, farm machinery or equipment, recreational vehicles, lawn furniture, playground equipment or garden supplies.
5. No portion of the Property shall be used for a trailer camp or mobile home park.
6. No portion of the Property shall be used for an automotive drive-in theatre, a fully enclosed theatre, assembly hall or concert hall.
7. No portion of the Property shall be used for a hotel or motel.
8. No portion of the Property shall be used for an accessory structure.
9. No portion of the Property shall be use for an off-street parking facility open to the general public.
10. No pets will be dropped off or picked up from vehicles on city streets.
11. All pets will enter and leave the facility in an enclosed pet carrier or on a leash with a handler in accordance with all applicable leash laws.
12. The dog relief area ("DRA") shall be surrounded by a masonry wall, at least eight (8) feet high, attached to and architecturally consistent with the rest of the building. Such wall may have fixed glazed openings.
13. All dog feces and associated waste shall be double bagged in plastic and kept inside the DRA in closed trash containers and shall only be placed outdoors for collection on days that it will be collected. Dog feces shall not be placed in a free-standing dumpster.
14. No dogs will be housed or left unattended in the DRA.
15. Operations at the Property shall comply with all applicable noise ordinances.

Construction of the facility will commence within 12 months of the passage of this ordinance.

Section 2. All ordinances or parts of ordinances inconsistent with the provisions hereof are hereby repealed.

Section 3. This ordinance shall take effect thirty (30) days from its passage unless given immediate effect by the City Council.

**REPORTS FROM CITY OFFICERS, BOARDS, AND COMMISSIONS;
COMMUNICATIONS AND PETITIONS;
AND OTHER CITY RELATED MATTERS**

By Councilmember Allen that all items be considered as being read in full and that President Leeman make the appropriate referrals

Motion Carried

• Reports from City Officers, Boards and Commissions:

- a. Letter from the City Clerk submitting minutes of Boards and Authorities placed on file in the City Clerk's Office

RECEIVED AND PLACED ON FILE

- b. Letters from the Mayor re:

- i. Eaton County Millage Request Form L-4029

RECEIVED AND PLACED ON FILE

- ii. TCO-07-063 and TCO-07-064; Parking Regulations on Seymour St. from Ottawa St. to Shiawassee St.

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

• Communications and Petitions, and Other City Related Matters:

- a. Letter from Ingham Intermediate School District regarding their intent to collect one hundred percent (100%) 2008 Summer Tax Collection

REFERRED TO THE TREASURY DEPARTMENT AND REFERRED TO THE FINANCE DEPARTMENT

- b. Application for Community Funding filed by the March of Dimes for their March for Babies – Walk Fundraiser to be held April 26, 2008

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

- c. Letter from Comcast Cable providing notice of channel lineup changes effective January 10 & 15, 2008

REFERRED TO THE CITY ATTORNEY AND REFERRED TO THE CABLE ADVISORY BOARD

- d. Letter from Cheryl Stewart of 1016 E. Kalamazoo St. submitting a complaint regarding the enforcement of Zoning Ordinance statutes

REFERRED TO THE COMMITTEE ON DEVELOPMENT AND PLANNING AND REFERRED TO THE PLANNING AND DEVELOPMENT DEPARTMENT AND REFERRED TO THE CITY ATTORNEY

- e. Letter from an attorney on behalf of Michigan Manufacturers Association stating conditions to drop its petition in opposition

to Z-5-2007; 600 S. Capitol Ave.

RECEIVED AND PLACED ON FILE

- f. Letter from Ann Andrews of AnnaBelle & Associates, Inc. offering conditions regarding Z-5-2007; 600 S. Capitol Ave.

RECEIVED AND PLACED ON FILE

MOTION OF EXCUSED ABSENCE

There was no motion of excused absence. (Note: At the January 7, 2008 the Council excused Councilmembers Jeffries and Wood from the December 17, 2007 proceedings)

REMARKS BY COUNCILMEMBERS

Councilmember Quinney said to Councilmember Matt that it has been an honor working with you these last few months. He said that he looks forward to continuing working with Bill in the future. He said to Councilmember Leeman that he admires the leadership that he has shown these past 2 years. He said Harold will be greatly missed.

Councilmember Kaltenbach thanked Councilmember Matt and Councilmember Leeman for the great job they have done.

Councilmember Allen said that this evening has been an emotional one. She said that she will miss Harold and Bill a great deal.

Councilmember Matt thanked everyone for all the support that has been given to him these past few months. He said that he will keep in contact with each and everyone of the Councilmembers.

Councilmember Dunbar stated that she is really going to miss both Bill and Harold. She said both of them have the biggest hearts.

President Leeman said that after Christmas he is going to try and put together a show as a review of what has taken place over the last twelve years. He said that he will always care about what happens to Lansing. He stated that he will continue to work to help Lansing move forward. He thanked everyone for working together to make Lansing what it is. He addressed each Councilmember as to what they have worked on together over the years. He went over all the redevelopment projects that have been approved throughout each of the 3 administrations under which he served.

City Clerk Swope said that he was glad to have gotten the opportunity to know Bill better. He said that sitting next to Harold these last 2 years has been an honor and it has been great to get to know Harold better.

**REMARKS BY THE MAYOR
OR EXECUTIVE ASSISTANT**

Mayor Bernero said again that it has been a blessing to have worked with Bill and Harold. He said we have made such progress and both were major keys in that process. He said both have done more good than harm for the citizens of Lansing. He said they have answered the call of leadership. He said that they have added a lot to this Council. He stated that he has learned a lot from each one of them in different ways.

Jerry Ambrose, Executive Assistant to the Mayor, said that it has been an honor and a privilege to have worked with both Bill and Harold.

ADJOURNED TIME 11:20 P.M.

CHRIS SWOPE, CITY CLERK